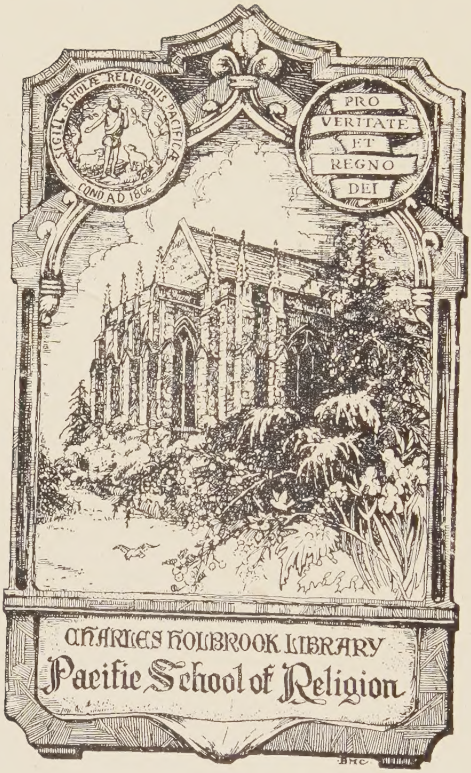

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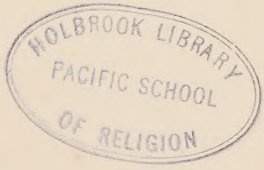
PUBLICATIONS

OF THE

AMERICAN

JEWISH HISTORICAL SOCIETY

NUMBER 23



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AMERICAN JEWISH HISTORICAL SOCIETY.

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HON. OSCAR S. STRAUS, New York, *ex officio*,
as Past President of the Society.

OBJECTS.

The object of this Society is to collect and publish material bearing upon the history of America, and to promote the study of Jewish history in general, preferably so far as the same is related to American Jewish history or connected with the causes of emigration from various parts of the world to this continent. It is known that Jews in Spain and Portugal lent no inconsiderable aid to the voyages that led to the discovery of America, that a few accompanied the earliest discoverers and that Jews were among the first settlers on this continent, and in its adjacent islands. Considerable numbers saw service in the Colonial and Revolutionary wars, some of them with great distinction. Others contributed liberally to the Continental treasury, at critical periods, to aid in the establishment of Independence. Since the foundation of our government, Jews have played an active part in the political affairs of the country, and have been called upon to hold important public positions. The records of the achievements of these men will, when gathered together, prove of value and interest to the historian, and perchance cast light upon some obscure parts of the history of our country.

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PREFACE.

The committee on publication, charged with the editing and issuance of the material comprising the present volume, consisted of Albert M. Friedenberg, Esq., chairman; Prof. Alexander Marx and Dr. Joseph Jacobs. Dr. Cyrus Adler, President of the Society, was a member of the committee *ex officio*.

This *Publication* is made up of papers presented at different annual meetings of the Society in the last few years. The report on foreign archives, the items of Jewish interest from the Crittenden correspondence, and the papers by Messrs. Byars, Hartogensis and Heineman, and by Rabbis Price and Zielonka, date from the annual meeting of 1915. The paper on the Jews of Jamaica and Barbados, and the sketch of David Lindo were presented at the one held in 1914. Both the papers by Mr. Lee M. Friedman were laid before the Society at its Boston sessions in 1912; while Mr. Leon Hühner's two papers were read by him at the annual meeting of 1908 in New York. Prof. Gotthard Deutsch's biography of Dr. Bettmann was intended to be submitted at the annual meeting of 1915, and was duly entered on the program. It was, however, received only immediately after the meeting had concluded owing to an unfortunate delay in the mails.

The notes embrace, in part, the brief communications of their respective authors to the annual meetings of 1913, 1914 and 1915, as well as some additional material of interest to the student of American Jewish history.

TWENTY-THIRD ANNUAL MEETING.

The twenty-third annual meeting of the American Jewish Historical Society was held at the Hotel McAlpin, Greeley Square, in New York. It began on the morning of February 21, 1915, continued on the afternoon and evening of that day and came to a close on the morning of February 22, 1915.

The president, Dr. Cyrus Adler, who was in the chair, delivered a brief address at the opening session. Mr. Albert M. Friedenberg, Corresponding Secretary, was secretary of the meeting.

The officers represented their annual reports. The corresponding secretary, Mr. Friedenberg, announced that, on February 15, 1915, the Society had 375 members—2 honorary, 47 corresponding, and 326 active members, 4 of the last being for life. Changes in the membership during the year were as follows: Died, 4; resigned, 8; dropped for non-payment of dues, 8; elected 1 new corresponding member—Rev. Dr. H. P. Stokes, President of the Jewish Historical Society of England—and 24 new active members. *Publication* No. 22 and the Index to *Publications* Nos. 1 to 20 were issued on October 1, 1914. By resolution of the executive council a second edition of *Publication* No. 3 has been printed.

The president and the corresponding secretary were the signatories to the formal letter of congratulation from this Society to the Jewish Historical Society of England, which celebrated the twenty-first anniversary of its founding by a banquet in April, 1914. The letter was read to the company there assembled, and has been printed in the annual report for 1913-1914 of the English organization, and in the preface to the seventh volume of its *Transactions*.

The Society joined the 19th International Congress of Americanists, which was scheduled to take place in Washington last October. Owing to the war its meeting has been postponed. Our delegates to this congress were Hon. Simon Wolf and Dr. Herbert Friedenwald.

The Society was represented officially by the following delegates at the following functions:

At the exercises of The Lower Wall Street Business Men's Association, commemorating the New York commercial tercentenary, on October 31, 1914, by Mr. Albert M. Friedenberg; at the 11th annual conference of historical societies, held in conjunction with the annual meeting of the American Historical Association at Chicago, on December 30, 1914, by Rev. Dr. Joseph Stolz; at the celebration of the centenary of the battle of New Orleans and the completion of 100 years of peace between this country and Great Britain, by the Louisiana Historical Society, at New Orleans, on January 8, 9, and 10, 1915, by Hon. Oscar S. Straus, Past President, and Rev. Dr. Mendel Silber. In conjunction therewith the Society contributed a number of items relating to Judah Touro and Judah P. Benjamin, to the historical exhibition held in the Cabildo at New Orleans. We are indebted to Mr. W. O. Hart, of the Louisiana Historical Society, for supplying us with the literature of this interesting event and with newspaper clippings dealing with Mr. Straus' visit to New Orleans.

The curator, Mr. Leon Hühner, submitted his report, which is printed in this volume. The report of Hon. N. Taylor Phillips, Treasurer, which follows, covers the fiscal year ended October 1, 1914. It was received and referred to Messrs. Lee Kohns and L. Napoleon Levy, of New York, for audit.

REPORT OF TREASURER.

General Fund.

RECEIPTS.

Balance with Treasurer in National City Bank of New York, October 1, 1913	$ 617.93
Members' dues and back dues	1,450.00
	$2,067.93

EXPENSES.

Disbursements and clerical services, Lyons Collection Committee	$ 593.64
Disbursements, Corresponding Secretary's office	515.51
Disbursements, Jewish Material in Foreign Archives ($250 appropriated by Council, Feb. 23, 1914)	47.85
Disbursements, Curator's office, Feb. 27, 1913, to Feb. 23, 1914	47.40
Disbursements for 22d Annual Meeting	26.00
Expressage and postage on Publications, Feb. 19, 1913, to March 15, 1914	7.93
Fire Insurance premium	6.25
Rental Safe Deposit Box	5.00
Exchanges National City Bank	2.50
Disbursements, Treasurer's office	1.75
Balance with Treasurer, October 1, 1914	814.10
	$2,067.93

Publication Fund.

RECEIPTS.

Balance with Treasurer, October 1, 1913	$1,183.88
Sales of Publications	28.10
	$1,211.98

EXPENSES.

Disbursements, Printing Publication No. 21 (Lyons Vol. 1)	$1,175.76
Balance in National City Bank of New York, October 1, 1914	36.22
	$1,211.98

STATEMENT OF THE ASSETS OF THE SOCIETY, OCTOBER 1, 1914.

GENERAL FUND.

Balance in National City Bank of New York	$ 814.10
Deposit in National Savings Bank of Albany, N. Y. (interest added to July 1, 1914)	2,438.79
	$3,252.89

PUBLICATION FUND.

Principal deposited in New York Life Insurance and Trust Company	$4,000.00
Interest on above, to July 1, 1914	458.19
Balance in National City Bank of New York	36.22
	$4,494.41

The president named the following as a committee to nominate officers and additional members of the executive council for the ensuing term: Messrs. Leon Hühner and A. S. Freidus, of New York. The committee reported the following names, and they were thereupon unanimously elected:

President, Dr. Cyrus Adler, Philadelphia, Pa.; Vice-Presidents, Hon. Simon W. Rosendale, Albany, N. Y.; Professor Richard J. H. Gottheil, New York City; Rev. Dr. David Philipson, Cincinnati, O.; Hon. Julian W. Mack, Chicago, Ill.; Corresponding Secretary, Albert M. Friedenberg, New York City; Recording Secretary, Samuel Oppenheim, New York City; Treasurer, Hon. N. Taylor Phillips, New York City; Curator, Leon Hühner, New York City. Additional Members of the Executive Council: Hon. Mayer Sulzberger, Philadelphia, Pa.; Professor J. H. Hollander, Baltimore, Md.; Hon. Simon Wolf, Washington, D. C.; Dr. Herbert Friedenwald, New York City; Max J. Kohler, New York City; Rabbi Henry Cohen, Galveston, Texas; Lee M. Friedman, Boston, Mass.; Dr. Joseph Jacobs, New York City; L. Napoleon Levy, New York City; Professor Alexander Marx, New York City;

Professor Max L. Margolis, Philadelphia, Pa.; Dr. A. S. W. Rosenbach, Philadelphia, Pa.

On motion, the president was empowered to appoint a committee of three to draft by-laws for the Society, the same to be submitted for adoption at the next annual meeting. Mr. Max J. Kohler called attention to the valuable Jewish bibliography, entitled "List of Works Relating to the History and Condition of the Jews in Various Countries" (1914), compiled by Mr. A. S. Freidus, recently published by the New York Public Library.

The following necrologies of deceased members of the Society were presented at the session of February 22, 1915:

A. Bloch, by Albert M. Friedenberg; Samuel Morais Hyneman, by Dr. A. S. W. Rosenbach.

The following papers were read:

Albert M. Friedenberg, of New York: (1) "Two Early Letters"; (2) "A Selection from the Inedited Correspondence of Aaron Lopez."

Rabbi Isaac E. Marcuson, of Charleston, S. C.: "Two Unknown Historic Candelabra from K. K. Beth Elohim of Charleston."

Joshua Bloch, of New York: "The History of the Hebrew Periodical Press in America."

Samuel Oppenheim, of New York: (1) "Two Letters of Solomon Bush, a Revolutionary Soldier"; (2) "A Letter of David Nassy, of Surinam."

William Vincent Byars, of St. Louis: "The Gratz Papers."

Dr. Cyrus Adler, of Philadelphia: "References to Jews in the Papers of John Jordan Crittenden."

Leon Hühner, of New York: "Daniel Gomez, a Pioneer Merchant in Early New York."

Prof. Max L. Margolis, of Philadelphia: "Hyphenated Jews in a Greek Papyrus."

Prof. Alexander Marx, of New York: "Eliezer Eilenburg, a German Jewish Wanderer of the Sixteenth Century."

Rabbi Julius J. Price, of Toronto: (1) "Unpublished References in the Canadian State Papers to Benjamin and Samuel B. Hart"; (2) "Samuel Jacobs, an Early Canadian Jewish Merchant"; (3) "The First Jewish Settler of Ottawa, Canada"; (4) "The Proceedings of Expulsion in the Case of Ezekiel Hart from the House of Assembly of Lower Canada."

Report of the Foreign Archives Committee, by its chairman, Albert M. Friedenberg. (It was suggested, by Professor Gottheil, that the committee devote some attention to the Jewish archives contained in synagogues abroad.)

Rev. Dr. David Philipson, of Cincinnati: (1) "Simon M. Levy, Member of the First Class to Graduate at the United States Military Academy in 1802"; (2) "Midshipman Joseph Israel."

Hon. David E. Heineman, of Detroit: "The Startling Experience of a Jewish Trader During Pontiac's Siege of Detroit in 1763."

Lee M. Friedman, of Boston: "The Phylacteries Found at Pittsfield, Mass."

Dr. Harold Korn, of New York: "References of Jewish Interest in the Newspapers of the American Revolution (1761-1789): New York and Massachusetts."

Rev. Dr. Abraham A. Neuman, of Philadelphia: "The Economic Condition of the Jews of Spain."

Dr. Julius F. Sachse, of Philadelphia: "Moses M. Hays and the Introduction of 'Sublime Masonry' in the United Colonies."

Benjamin H. Hartogensis, of Baltimore: "The Sephardic Congregation of Baltimore."

J. Bunford Samuel, of Philadelphia: "Historical Sketch of the Dalmbert Brothers."

Rabbi Martin Zielonka, of El Paso: "An American-Spanish Jewish Periodical."

Also the following papers, which were read by title:

Dr. Joseph Jacobs, of New York: (1) "The Radanite Routes: A Description of Jewish Commerce in the Ninth Century"; (2) "The Mediæval Status of the Jew."

Dr. Henri M. Léon, of London: "Some Eminent Jewish Philologists of Past Ages."

Alvin T. Sapinsky, of New York: "The History of American Jewish College Fraternities."

REPORT OF LEON HÜHNER, CURATOR.

During the past year the Society has received 141 printed volumes, 199 pamphlets and 23 periodicals, so that our collections at the present time contain 1742 volumes and 1000 pamphlets, besides a large collection of periodicals, some of which are received with more or less regularity.

Among the more important gifts received during the year are the following:

From Dr. Cyrus Adler, data relating to the participation by Jews in the Spanish-American War.

From the Grand Lodge F. & A. M. of Pennsylvania, a valuable collection of its publications including: "Old Masonic Lodges of Pennsylvania," by Julius F. Sachse, vol. ii (1779-1791); Proceedings of the Grand Lodge on its sesqui-centennial celebration of the initiation of George Washington as a Mason; Proceedings on the occasion of the Bi-Centenary of Benjamin Franklin's initiation.

From John C. Proctor, "Descendants of Mary Davidson and Col. Isaac Franks."

From the publishers, Mr. Israel Cohen's "Jewish Life in Modern Times."

From Mr. Isaac Markens, a portrait of Sir Moses Montefiore.

From Dr. Edgar F. Smith, Provost of the University of Pennsylvania, through the courtesy of Dr. Cyrus Adler, a manuscript receipt book of Moses Nathan covering the period 1782-1789 and containing the names of Jewish merchants of the period.

From Mr. Albert M. Friedenberg, Wassermann's novel, "Judah Touro"; "Zionism" by Richard Gottheil; the Minutes of the Zionist Congress of 1913; *Jüdische Skizzen* by Felix Perles, and 20 contemporary pamphlets.

From Mr. Leon Hühner, a reprint of the London brokers' directory of 1677, containing the names of 13 Jews, a large collection of newspaper items relating to Jewish patriotism during the Spanish-American War, and 7 books and pamphlets.

From Mr. J. T. Medina, his work on the early American Inquisition.

Besides, gifts were also received from Mr. W. O. Hart, Mr. Frank Cundall, Revs. A. Blum, P. A. Hilfman and George A. Kohut, the London School of Economics, Mr. Julius F. Sachse, Mr. Max J. Kohler and Hon. Simon Wolf.

Comparatively few purchases were made during the year 1914, most of these being books of contemporary Jewish interest such as Mary Antin's "They Who Knock at Our Gates," and similar publications.

Of MSS. purchased during the year, there were a number of business letters addressed to Isaac Franks between 1781-1784, a receipt by Aaron Lopez, and a letter by Mordecai M. Noah.

In addition to the usual publications received from various learned societies, we have for the first time received a publication of the U. S. Catholic Historical Society and the Yonkers Historical Society.

Our special thanks are due to the American Antiquarian Society and the Massachusetts Historical Society for their valuable gifts. Through the efforts of Mr. Albert M. Friedenberg the former presented us with a complete set of its publications and the latter with 23 volumes of its proceedings and collections.

Dated February, 1915.

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THE GRATZ PAPERS.

By William Vincent Byars.

This is intended to be an accurate summary from the letters and papers of the brothers, Barnard and Michael Gratz, as, between 1750 and 1760, they made their start in America from the Philadelphia wharf. They went far. They made their own way. After their start on the Delaware, they were stopped only by the Mississippi in the use of energies which might have easily carried them across it, if they had not found it converted from an advantage into a political disadvantage—an eighteenth century frontier, marked by cannon at intervals to represent the idolatry of map-worship when otherwise the map might always be made, as it ought always to be, to represent the results of energies, always increasing with the increase of life.

The papers of the brothers, Barnard and Michael Gratz, "Merchants in Philadelphia," begin with 1754, a year of decisive crisis.

Their business relations during the two decades between 1754 and 1774 were complicated with the results of this crisis. Before the close of their second decade, they were closely associated in business with leading actors in the crisis of 1754, whose papers connected with their own by juxtaposition in chronological order, may do much for more exact definition of the essential realities of life in that period.

During these two decades, their business relations with the "first American West," and its first pioneers and promoters, were such that they became custodians of documents and letters, which in chronological order with their own business papers supply the connection for the data of history in the beginnings of the present States of West Virginia, Ohio, Indiana, Kentucky, Illinois and Missouri. Or to speak more inclusively, this chronological order supplies the connection for

much, which however well known is still apparently disconnected or confused in the history of American beginnings in the present States of the Mississippi Valley.

Nothing more can be undertaken here than to attempt to suggest this connection of history. The rest belongs to many shelves, already filled and hereafter to be filled in libraries, supplied with such books as all are expected to know.

Both brothers had been carefully trained for success as merchants. Barnard Gratz, when he came to Philadelphia in 1754, was still in his minority. He had inherited from the estate of his father, Solomon Gratz, of Langendorf, Silesia, a capital sufficient to enable him to begin business as soon as he became of legal age. His younger brother, Michael, sharing this inheritance, was also studying business, with a view to using it on his own account as soon as he became of age. He joined his brother Barnard, in Philadelphia, in 1759. Both brothers had made their beginnings of business life in London, with a cousin, Solomon Henry, a merchant of admirable character and thorough training. His business connections already extended around "the known world," prior to 1760. At a time when he could be seriously threatened by having not over £500 of his capital rendered temporarily inactive by the conditions of a war period, he had already engaged in business "adventures" to the East Indies, to the West Indies, to Continental America, and in Continental Europe from Vienna to Amsterdam. He had then or not long afterwards a business "concession" from the British government in the West Indies (St. Christopher in the Windward Islands) which was closely related to American business under the restrictions of this period of the eighteenth century, when the ocean trade was almost wholly "colonial."[1]

[1] Solomon Henry, London, to Michael Gratz, Philadelphia, February 25, 1784, writing of his second son: "He has purchased the life *interest* of the patentee of the island of St. Christopher and Nevis for which I used to pay yearly £500." Manuscripts, Historical Society of Pennsylvania.

While Michael Gratz was still being taught business in London by his cousin, Solomon Henry, there was "an opportunity just going off." It was for the East Indies. He went with it. He invested part of his patrimony in this, his first business adventure. As the record shows this, it illustrates the great advantage of the adventure system to "the young beginner," as he called himself in a letter written from Philadelphia several years later. He might use in such adventures with his employer and his friends such cash as he could afford to invest while employed as a clerk or salesman. The record shows the probability, though not the certainty, that in this first ocean voyage, he represented an adventure of Solomon Henry, who was then employing him, as a "young beginner."

Solomon Henry probably sent a cargo to India in his charge. This appears only by inference, but his ledger and accounts show that he brought back from India in 1759 a cargo in which he had invested part of his own patrimony. It included chinaware, seed pearls and such miscellaneous oriental goods as he thought would be attractive in the London market. When in April, 1759, he sailed on the *Britannia* for America, this East Indian cargo was left in London to be disposed of by Solomon Henry, who rendered him an account of it, in connection with a cargo shipped to him in Philadelphia, November 17, 1760, on the *Myrtilla Blythe* from London. The London invoice of this cargo showed a total value of £157 : 16 : 4 for "sundries." He brought over a cargo with him on the *Britannia.* Immediately after his arrival in Philadelphia, he began in a ledger of his own, a system of accounting with "adventures" through which he distributed these first sundries in "voyages" to Halifax, New York, Virginia and Georgia. He kept an account with each adventure. At the same time, he had adventures to Guadeloupe, and back to London, probably in American sundries, and also an important adventure of £189 : 19 : 8 on "beaver account." . . . .

The first American adventures of Michael Gratz, as a young beginner in America, were called to account by him in a ledger extending from 1759 to 1763. During this time, on his "own account and risk," he made his first experiments with the Coast trade between Halifax on the North and Georgia on the South, experimenting also with the West Indies, where Captain Isaac Martin, who was concerned with him, disappeared. When the latter reappeared later at New York, ready for another "adventure" with the affable young man he had met on the Philadelphia wharf,[2] Captain Martin had been the usual rounds of 1760. The Spanish privateer which captured him, carried him to Europe, where he ransomed himself and made his way back to America, ready for "the next opportunity."

These difficulties of business during actual fighting and under a system based during peace on the conditions of war, explain the item of December 13, 1762, in the ledger of Michael Gratz, "Beaver Account, £189 : 19 : 8" credited to cash. This means the renewal of the movement towards the Mississippi which had met its first defeat in the year of Barnard Gratz's beginnings in Philadelphia. In 1754, when the French captured Washington's Fort Necessity, their control of the Ohio, as long as they held it, cut the furtraders of Lancaster off from the beaver supply for which George Croghan, William Trent, Alexander Lowrey, Joseph Simon and others of this group of pioneers in the organized business of the American West, had pushed into Kentucky, while to Evans, the mapmaker, it was still part of the unknown regions beyond the endless mountains. In 1759, the year of the arrival of Michael Gratz, Kenny, the Quaker, kept a journal during a visit to "ye Westward." (Manuscripts of the Historical Society of Pennsylvania.) In Winchester, Virginia, then the outpost

[2] Michael Gratz found his first American "opportunities" on the Philadelphia wharf by the unusual ability he showed in making friends with such older men as Captain Martin.

of the Southwest, he found Levy, an old acquaintance from Lancaster, the nephew, son-in-law and partner of Joseph Simon, who was likely to appear at any point on the border between Winchester and Detroit where a contract could be made for beaver. At a time when the Lancaster furtrade West had been disorganized by the French and Indian War, he was probably finding in Winchester what could be done with a Southwestern connection through the Virginia Valley. On November 3, 1762, the preliminaries to the peace had been settled under an agreement pledging French abandonment of claims to the West between Fort Pitt and Fort Chartres, while the trans-Mississippi West (Louisiana) was to be transferred to Spain. As Lancaster responded to these conditions with beaver for shipment to London through Philadelphia, the ledger of Michael Gratz, as a "young beginner" in Philadelphia, corresponds with this beaver account, which begins his connection with the first American foundations of the present commonwealths of the Mississippi Valley.

For his connections, West from Lancaster, David Franks, with whom both these young men began to be "concerned" in the future of America, depended on Joseph Simon and his group of intimate associates in Lancaster and "all points West." It was the special ambition of the Gratz brothers as young merchants to be ship-owners, trading around the world in every port open to American and British ships. They were fitted for this by their training. They never gave up the attempt and they met all the success on the ocean that could be expected under the system of Imperial control of colonial trade. But in 1765, while as "merchants in Philadelphia," they were still young beginners, the Non-Importation Resolutions were drawn up. In that year, Michael Gratz had been shipwrecked on a voyage intended to lay the foundations of their business in the West Indies. They expected, and they had already begun, to reach along the coast from New Orleans

and Mobile to Halifax and Quebec. They had through Solomon Henry London connections of the best, which put them in touch with the "first opportunities" in Amsterdam, if anything were to be done in France, Germany and Austria with these opportunities, as well as the opportunity to India with which Michael Gratz was already familiar by experiment. With this at stake when American patriotism demanded that they should sign the Non-Importation Resolutions of 1765, the young beginners signed. They did not give up the ocean, but as after this date, success in the ocean trade grew more and more difficult, they used every opportunity of the American home market of their time. Their connection with Virginia soon became close, as it afterwards remained until after 1770, they being concerned in the whole Virginia movement to the West. But from 1760, they had already begun to be more intimately concerned with the movement West from Lancaster. While family history is not pertinent in this connection, it explains the permanent connection of the Lancaster group with the Gratz Brothers in Philadelphia to state here that on June 20, 1769, Michael Gratz married Miriam Simon, daughter of Joseph Simon, of Lancaster.[3] At that time, from the beginning of the Gratz Brothers' business, Joseph Simon was consigning furs through them for sale or shipment. On August 17, 1762, with the Lancaster furtrade revived by the prospect of peace, Simon and Mitchell shipped Barnard Gratz from Lancaster 42 separate bundles of furs and peltry, including every variety on the market, but with beaver still so scarce in the market that this consignment included only 172 beaver skins. In ten years more when Pennsylvania itself would

[3] Benjamin Gratz, son of Michael Gratz and grandson of Joseph Simon, married Maria Cecil Gist, grand-daughter of Christopher Gist, whose maps now in the Public Record Office, London, are the first on record from actual surveys in the Ohio Valley. As he explored Kentucky for the Ohio Company of Virginia, his activities and those of his group in Virginia had necessarily a close connection with those of the Lancaster group whose business was then extending into Kentucky.

afford little besides "bucks," "does," and the commoner furs, still possible where hunters increased out of measure, the pathfinders of the St. Louis group would then be pushing for beaver as far towards the Rocky Mountains as their canoes and *batteaux* could carry them.

In 1763, the Lancaster group, intimately associated in business "adventures" with Joseph Simon, included William Trent, George Croghan, Edward Ward and their associates who had figured in the first struggle for the control of the Ohio in which in 1754, the French had triumphed for the time being against the movement of the Ohio Company of Virginia. As this was intended to control the Ohio from the "Forks" downward, with the control of the furtrade secured by a colony on the Ohio, Trent, Ward and Washington met, one after another, the defeats of 1754 which made the plans of the Ohio Company of Virginia impossible of realization without French defeat in the Seven Years' War which followed.

As in 1765, Croghan led the advance to the Mississippi, renewed in 1768 and 1769 for purposes of colonization, he became "concerned" in that year with the Gratz Brothers, his relations in business after 1768, becoming more nearly confidential with Barnard Gratz than with Benjamin Franklin, Sir William Johnson or any other one of the more famous men of that time, concerned in the attempt to organize new "governments" on the Ohio, the Mississippi and the Lakes. The Gratz Brothers, aside from their interest in "Indiana" through their connection with Joseph Simon and other principal "proprietors" of that new and promising colony, represented Croghan's interest in the Illinois colony as well as in the Indiana colony and in the lands granted him in New York and around Pittsburgh as a "retribution" for his sufferings during the French and Indian and the Pontiac War. As Barnard Gratz became his chief executor and also one of his heirs under these grants, his custody of Croghan's papers was necessary.

And it was necessary to preserve them as long as the increasing growth of Pittsburgh and of New York stimulated the attempt in the courts to set aside Croghan's original titles. This explains in part the preservation until the present of a great mass of detailed information, represented by original documents, which otherwise might be taken for granted as hopelessly lost. Aside from this, however, the Gratz Brothers, after the second and continuous movement West was renewed in 1768, beyond the power of a hostile British cabinet to check it, were themselves concerned from the beginning with William Murray, and others of the Lancaster group of 1750, whose interests most closely assimilated with those of the "Proprietors of Indiana."

The question of what was foreseen by anyone engaged in the American movement into the West, must remain open. When it involved the brothers, Barnard and Michael Gratz, they certainly did not foresee that they were being involved in politics they were attempting to keep out of, in the hope of succeeding by attending to their own affairs as merchants. In 1765, however, their signatures attached to the Philadelphia agreement to "boycott" British business, forced them to try to recover in Virginia and the West the business they thus lost on the ocean. Business with the American West of that period meant the furtrade, which meant reaching further and further West every year. It was thus that in 1768, they came to be "concerned" in business with Kaskaskia and Fort Chartres, shipping in association with William Murray, the goods for outfitting Illinois as a "new government" over the routes Croghan had opened in 1765. It was thus that they came to be intimately concerned with Croghan himself, as in 1768-9, his plans had developed the "Indiana Grant" for the "suffering traders" of the Pontiac War, and the "Illinois Company" for organizing a "new government" on the Mississippi.

The impulses the brothers, Barnard and Michael Gratz received from this movement, "concerned" them in Kentucky

colonization and in Western history as made from Kentucky after the Revolution, even more intimately than they were concerned with founding Illinois and "Indiana" (South of the Ohio) before the Revolution. From the Seven Years' War to the Revolution, from the Revolution to the War of 1812, the Mexican and the Civil War, a complete collection of the papers of Michael Gratz and of his son, Benjamin Gratz, of Lexington, Kentucky, would involve the history of the map of the United States not only from the Atlantic Coast to the Mississippi, but to the Rio Grande and the Pacific.[4]

As everything which concerns the American Revolution and its immediate consequences has been closely studied, except the American movement for colonizing the West before the Revolution, the value of the business letters and papers of Barnard and Michael Gratz, "merchants in Philadelphia," for the purposes of political history is chiefly that suggested by the preceding outline of the beginnings of "new governments" on both the Mississippi and the Ohio, with the key of this history in that of "Indiana," as planned South of the Ohio by George Croghan and his immediate associates—the "Western men" of that period with their headquarters chiefly at Lancaster in 1760-65 when the movement was first organized—with the Indiana organization the first.

Their value may be even greater in the history of American life as it is "concerned" in business, "outside of politics," as far as that may ever become possible. For them, it was never possible. The political system of European colonial control in America to which their business was subjected, deliberately suppressed American manufactures. Under the general European system, they could not enter new ports,

[4] The removal of Benjamin Gratz to Lexington, Kentucky, where he became the second president of the first Kentucky railroad, was a final result of colonizing impulses imparted to his father between 1768 and 1775, perhaps from many sources, but on record as most directly communicated from Colonel George Croghan and his group of Lancaster allies.

except as such ports had been forced open by war. It was a political policy of repression and obstruction under which business in America was forced towards founding prosperity on three main factors, tobacco, rum and slavery.[5]

If we try to sum the life which flows into these "young beginners," Barnard and Michael Gratz, "merchants in Philadelphia" during the third quarter of the eighteenth century, it is as difficult as it is to sum life in general. A few "leading facts" may be cited, as they tried to do business "outside of politics." As they had laid their plans for success as merchants, and finally as ship-owners in business with the world to supply America, political conditions beyond their control forced them into business with the West and South, with ocean business reduced to its lowest point. Business West involved the furtrade, and concern in American plans for occupying and inhabiting the West. These plans had forced a change of British policy, too late to stop revolution. The first "new government," including Indiana with Vandalia, South of the Ohio River, was authorized and about to be organized under British concessions, when the Revolution nullified British concessions and at the same time stopped the furtrade and the business with the Mississippi in which the Gratz Brothers had been engaged.

As the last quarter of the eighteenth century is fully opened, Michael Gratz appears on the Potomac. With no navy of its own, the Continental Congress has called on patriotic Americans to fit out "private men-of-war," to "seize and destroy the enemy." In his ambition to become a ship-owner, Michael

[5] Virginia was expected to export tobacco to England and to buy slaves to raise it, supplied by the British African Company. Sugar and molasses were to be furnished America from the British West Indies, the molasses to be manufactured into rum, the rum to be used in the "African trade" as well as in that with the American Indians, and for general consumption, the *per capita* of which in the eighteenth century might seem incredible.

Gratz as a "young beginner" had succeeded in part during the decade in which he signed away his foreign trade in signing the Non-Importation Resolutions. As a ship-owner during the Revolution, he was concerned with Robert Morris, Carter Braxton, Ephraim Blaine, John Gibson and other patriots, including his friends of the furtrade, in fitting out privateers.[6] At the same time, he is concerned with the first founders of the West, as George Croghan, William Trent, William Murray, George Morgan and others of the proposed "charter colonies" transferred their allegiance to the Continental Congress and made determined attempts to carry out their plans, as part of the new system organized through the Revolution. As these attempts were continued during the last quarter of the century, their documentary history is indispensable in studying the American movement of the preceding quarter. As otherwise it is a matter of curious interest, explaining the appearance of Indiana, South of the Ohio, on maps of the United States in the last decade of the eighteenth century, the final, inevitable disappearance of Indiana from that location is coincident with the appearance of Kentucky as a fully organized state. Remaining "merchants in Philadelphia," but committed by long habit to the colonizing impulses which were now sending West and Southwest the thousands who had been checked by the "Royal pleasure" of 1763, the Gratz Brothers of 1793 were nothing if not colonizers. Through their Virginia alliances of the Revolutionary period, Barnard Gratz had become involved in the great project of draining the "Dismal Swamp" which had been planned before the Revolution. Michael Gratz joined with Willing and Pentecost in planning a new colony in what is now West Virginia and Northeastern Kentucky, as a substitute for "Indiana" in that locality. He had be-

[6] This is the nearest approach Michael Gratz made to militancy. Although his letters, now collected, show him making frequent journeys where his life was in danger, they make no mention of weapons. His instincts were unhomicidal.

come "concerned" with Colonel Pentecost in outfitting the George Rogers Clark expedition of 1781 from Pittsburgh, to complete the Virginia conquest of the West. Through such alliances, he was "concerned" in one attempt after another to populate Kentucky with settlers on lands he bought before and after the organization of that state as a Virginia colony. As about 1798, the original Gratz Brothers were succeeded by Simon and Hyman Gratz, they were deeply "concerned" from their own start as "young beginners" by the movement Westward which had begun between 1750 and 1775. Between 1800 and 1825, they were "concerned" in the making of every new map of the Mississippi Valley. As they made their shipments West overland from Philadelphia and down the Ohio, "Gratz," as it now appears on the Kentucky River, in Owen County, marks a point from which they distributed Philadelphia goods, after making their Western connection, while Lexington, Kentucky, was still the leading town of the Central West. Corresponding as a terminus[7] with "Gratz" on the Kentucky River, the Pennsylvania Railroad folders of the present map give "Gratztown" in the Pittsburgh district on the Youghiogheny River. Over the water route, represented by these landings for "Kentucky boats" and *batteaux,* William Henry Harrison wrote the Gratz Brothers of Philadelphia for supplies when he was engaged in founding the State of Indiana in its present location—where William Murray, partner of the original Gratz Brothers, in their Kaskaskia business, had planned one of the "new colonies" before the Revolution. When as a candidate for President of the United States, William Henry Harrison was welcomed in Lexington by Benjamin, son of

[7] **Michael Gratz, in a letter to his brother before the Revolution proposed to use the Potomac and the portage across to the confluents of the Ohio in shipments to Illinois. The location of the landing used by Simon and Hyman Gratz in reaching the West with overland shipments from Philadelphia has not been determined by the writer on the evidence of contemporaneous documents. The tradition is direct, however.**

Michael Gratz, the age of steam had filled the river with steamboats, and the age of railroads was beginning, with rails about to be laid over the trails which Gist, Croghan and their associates of 1750 had followed West. As this study of map-making begins with Gratz in the upper Valley of the Oder, it reaches the Mississippi in the great period of crisis—the third quarter of the eighteenth century to which "modern times" must return for a fuller knowledge of their own meaning, whenever the sense of direction begins to be lost.[8]

APPENDIX.

CHRONOLOGICAL SUMMARY OF THE FIRST AMERICAN MOVEMENT FOR COMMONWEALTHS IN THE WEST. EXTRACTS RELATING DIRECTLY TO THE GRATZ BROTHERS.

1756-1766.

1763. The Pontiac War follows the peace after the Seven Years' War. Lancaster associates of George Croghan (William Trent, Joseph Simon, Alexander Lowrey, John Gibson and other fur-traders) with several Philadelphia merchants (Baynton and Wharton and David Franks among them) lose their goods in transit West by Indian depredations. (Manuscripts of Sir William Johnson; Hanna, Wilderness Trail; Papers of the Lancaster County Historical Society, Diffenderffer, Evans; Documentary History of New York; Parkman's Pontiac War.) . . . .

1765-6. Croghan begins operations in Illinois. On March 23, 1765, he secures Indian goods to the extent of £2,037: 11: 10½ from Simon, Levy and Company (Joseph Simon, of Lancaster) to outfit his first Illinois expedition. (McAllister Manuscripts, Ridgway Library). He leaves Fort Pitt, May 15, 1765, for Illinois. (Croghan's Journal.) At Fort Pitt, William Murray, then in

[8] See Gratz-Croghan Papers, the "Ohio Book," Gratz Papers, Miscellaneous, Etting Collection, Manuscripts of the Historical Society of Pennsylvania; Gratz-Simon Papers, McAllister Manuscripts at the Ridgway Library; Gratz Papers, Sulzberger Collection, Manuscripts of the American Jewish Historical Society; Collections of the Illinois State Historical Library; Papers of the Lancaster County Historical Society; Virginia State Papers.

command, makes a treaty with the Indians, May 11, 1765. Croghan writes to Murray from the West, July 12, 1765. Returning from the West, Croghan writes from Philadelphia, December 12, 1765, to Benjamin Franklin in London in the interest of the grant for the sufferers of the Pontiac War (Collections of the Illinois Historical Library, Alvord and Carter.) . . . .

1766-1776.

1768. "Western men" in America organize the movement West for "inland colonies" in spite of the British cabinet policy. June 8, William Murray at Carlisle writes to Barnard Gratz in Philadelphia, as he is starting West, *via* Fort Pitt, leaving his Pennsylvania business in the hands of the Gratz Brothers of Philadelphia. (Etting Papers, MSS. of the Historical Society of Pennsylvania.)

1768. Military reorganization on the Mississippi (probably through the influence of Colonel George Croghan). June 1st to July 15th, Colonel John Wilkins marches from Philadelphia through Lancaster to Fort Pitt and starts down the Ohio to Fort Chartres to take command of the Illinois. (Pennsylvania Archives, IV, 395, 1st series.) William Murray accompanies Colonel Wilkins, with the first "cargo" sent to Illinois by Barnard and Michael Gratz, "merchants in Philadelphia." (Etting MSS.) . . . .

1768. July 8, and August 31, 1768, Michael Gratz writes to William Murray, opening up the connection for the business of the Gratz Brothers with Illinois. (Letter Book No. 1, Michael Gratz, Historical Society of Pennsylvania.) . . . .[9]

1769. Barnard Gratz, preparing for his departure to London, is given a letter of introduction from Cosmus Alexander, Philadelphia, to Peter Remon, London. (Etting MSS., Historical Society MSS., Historical Society of Pennsylvania.) . . . .

1769. Colonel George Croghan is supplied with goods by the Gratz Brothers for his operations with the Indians. (Etting MSS.)

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[9] See also July 11 and 20, 1768, George Morgan to Baynton, Wharton and Morgan on Murray's competition in Illinois, and the crisis between Morgan and Captain Prather, representing the Lancaster group. (Morgan's Letter Book: Illinois State Library Collections.)

1769. May 13, Smith's Journal shows Colonel George Croghan developing his New York grants with his son-in-law, Augustine Prevost and Thomas Smallman. (Review of Journal in Hanna's Wilderness Trail.) William Franklin becomes "concerned" through mortgages made by Croghan to him and his immediate associates. (Etting MSS.) . . . .

1769. June 28, William Murray remits the Gratz Brothers £239: 19: 0 as profits on business in Kaskaskia, and calls for more goods. (Etting MSS.) . . . .

1769. August 9, Michael Gratz, Philadelphia, reports to Barnard Gratz in London on Western business and advises him to consult Major William Trent. He gives Barnard Gratz information of Croghan and Sir William Johnson. (Letter Book of Michael Gratz, No. 1, Historical Society of Pennsylvania.) . . . .

1769. Michael Gratz writes to Aeneas Mackay, Pittsburgh, announcing the receipt of a letter from William Murray, Kaskaskia, giving information of George Morgan's departure. (Letter Book of Michael Gratz, Etting MSS.)

1769. August 21, Michael Gratz writes to Barnard Gratz in London, on business in Illinois with William Murray, on Baynton, Wharton and Co.'s "land affairs," on the interests of Joseph Simon, and on the results of political complications making it difficult to get supplies for the West. (Gratz Letter Book.) . . . .

1769. September 1, Michael Gratz writes from Philadelphia, to William Murray, Kaskaskia, congratulating him on success in Illinois and informing him that his letters sent by Colonel Morgan and Colonel Cole (?) have not come to hand. (Letter Book of Michael Gratz.) September 19, Colonel George Morgan, on shipboard bound for Philadelphia, writes to James Rumsey at Kaskaskia on business in which they have been in partnership. He says it would be part of his "happiness to go hand in hand with a union of souls" with Rumsey. (Collections, Illinois State Historical Library, Alvord.)

1769. September 22, William Murray at Kaskaskia, with the ague, writes to Barnard and Michael Gratz on business with Simon, Franks, Callender and others, referring to a letter of the 6th of that month, sent by five men who left Kaskaskia for Philadelphia in a canoe. (Etting MSS.)

1769. September 29, Michael Gratz writes to Barnard Gratz in London, on business with Murray in Kaskaskia, from whom he has received an order for £234 on Levy and Franks. He has had another letter from Colonel Croghan, and he hopes that non-importation agreements will soon be suspended so that goods can be got through for the West. (Letter Book of Michael Gratz, Historical Society of Pennsylvania.)

1769. November 7, Mathias Bush writes from Philadelphia to Barnard Gratz in London on the political disorganization of business. He describes a procession in the streets of Philadelphia, with an "informer" tarred and feathered, after a seizure made by the Collector.

1769. November 27, Joseph Simon, Lancaster, outfits a packtrain for the furtrade for Ephraim Blaine, (great-grandfather of James G. Blaine). (Blaine MSS., Library of Congress.) . . . .

1769. December 28, Michael Gratz writes from Philadelphia to William Murray in Illinois that the failure to send more goods is not due to lack of confidence but to the results of the non-importation policy which makes it almost impossible to get them. He promises, however, to send another cargo soon, in spite of all difficulties. (Letter Book of Michael Gratz, No. 2, Historical Society of Pennsylvania.) . . . .

1770. March 1 and 2, Colonel George Croghan deeds 9050 acres of his New York grants to Michael Gratz for £1800. It lies on "the South side of the Mohawk River" in the "County of Albany" near Otsego Lake and during 1770, Barnard Gratz in London plans to secure colonists for it. (Gratz-Croghan Papers, Historical Society of Pennsylvania.)

1770. April 4, Michael Gratz writes William Murray at Kaskaskia that he has sent him another cargo by the contractors' *batteaux* from Pittsburgh, amounting to £608: 11: 4 to be disposed of on joint account. He apologizes for delay as the non-importation policy continues, and he has been much out of town "after a large debt of Colonel George Croghan." (Letter Book of Michael Gratz.) . . . .

1770. May 19, William Murray and James Rumsey sign articles of agreement as partners at Kaskaskia, with W. Connolly as a witness, Chartres Village. (Etting MSS.) Between 1770 and

1773, William Murray, James Rumsey, Barnard Gratz, Michael Gratz, Alexander Ross and David Franks unite in Illinois business under the name of David Franks & Co. (Illinois State Library MSS.; Kaskaskia Court Records; Gratz Accounts, Historical Society of Pennsylvania.)

1770. Michael Gratz, Philadelphia, July 6, writes Barnard Gratz in London that George Croghan and Joseph Simon have left for Fort Pitt. George Croghan "has done nothing in his affair yet." He advises his brother to "concern" their cousin, Solomon Henry in London. He reports also that it may be possible to do business by way of Baltimore and the Potomac with the West, if Philadelphia business is stopped politically. (McAllister MSS., Library Company of Philadelphia.) . . . .

1770. October 24, Andreas Henry Groth writes to Barnard Gratz, in the care of Solomon Henry at the Bank Coffee House in London, hoping that "the Colonies may keep firm in their resolutions so as not to give away their freedom and become like the Irish." While he hopes this "above all," he hopes for the sake of business that "matters will soon be made up with Spain and not come to extremity." (McAllister MSS., Ridgway Library.)

1770. December 24, William Murray, returning from Illinois, writes to Michael Gratz from Pittsburgh, where he is confined with gout, that there will be a "handsome remittance" from Illinois before June. (Gratz-Croghan Papers, Historical Society of Pennsylvania.)

1770-3. From October 19, 1770, to April 24, 1773, Franks & Co. credit the Gratz Brothers with £833: 9: 1½ for sundries furnished the Illinois Company; for £541: 10: 5½, in sundries furnished *per* Mr. Rumsey and for £249: 16: 4¾, sundries furnished *per* Mr. Murray. (Etting MSS.)

1770-3. William Murray is in account with Levy and Franks, October 31, 1770 to April 2, 1773, for £16,142, leaving a balance due him for which "he has drawn an order on us in favor of James Rumsey, on account of David Franks & Co." for £10,445. (Etting MSS., Historical Society of Pennsylvania.) . . . .

1771. January 26, James Rumsey remits £640 to Barnard and Michael Gratz from Fort Chartres. He congratulates them on becoming "jointly concerned" with himself and William Murray

in a business so profitable, and compares Colonel George Morgan to a "bedlamite." (Etting MSS., Scientists, Historical Society of Pennsylvania. So classed because of the belief that this James Rumsey afterwards became famous as a steamboat inventor before Fulton.) . . . .

1771. October 2, Michael Gratz, for the Gratz Brothers of Philadelphia, writes William Murray at Kaskaskia, that he is sorry to hear of the "large purchase" the firm there has made of Baynton, Wharton and Morgan's "old goods"—the inference being that this firm has closed out to Murray and Rumsey, as partners of the Gratz Brothers. Michael Gratz fears that much of this old stock may be damaged and unsalable. (MSS., Historical Society of Pennsylvania.) . . . .

1772. Captain Francis Murphy, writes from New Orleans to the Gratz Brothers in Philadelphia. On March 4, 1772, he has one of their "cargoes" in New Orleans and he mentions Mr. Rumsey as being present. May 10, Captain Murphy writes again from New Orleans that he expects Colonel Wilkins in a short time. (Etting MSS., Historical Society of Pennsylvania.) . . . .

1772. April 27, Barnard and Michael Gratz write from Philadelphia to Colonel George Croghan, congratulating him "on the good news of the Chartered government being settled" which, they hope, will be to his "entire satisfaction." (Letter Book of Michael Gratz, No. 2, Historical Society of Pennsylvania.) The reference is to the combined Indiana and Vandalia Colony.

1772. May 24, the Gratz Brothers in Philadelphia write to William Murray in Illinois through James Rumsey, then in the East and about to return to the West. They send an "adventure" to Illinois for their children, offering Mr. Murray an interest in it and requesting him to keep a separate account for it. (Letter Book of Michael Gratz, addressed to Murray and Rumsey.)

1772. May 26, Barnard and Michael Gratz write to James Rumsey, mentioning a "French gentleman in New York" for whom Mr. Clarkson is making excerpts from Mr. Rumsey's papers. The French gentleman expects to make a "publication of Baynton, Wharton and Morgan" which the Gratz Brothers believe, will "not be very much in their favor." They have sent four wagon loads of goods to Fort Pitt for Illinois. (Letter Book of Michael Gratz.) . . . .

1772. September 28, Governor William Franklin writes from Perth Amboy to Michael Gratz in Philadelphia that he has a letter "dated the beginning of August which mentions that the grant for the new colony is agreed on and that Lord H. through resentment quits the ministry." He expects to be in Philadelphia soon to consult with the Gratz Brothers on a settlement by Colonel Croghan with himself and the Burlington Company, Colonel Croghan's debt to him individually being then over £2,000. (Etting MSS., Historical Society of Pennsylvania.)

1773. January 12, Colonel George Croghan writes to Barnard Gratz on the Youghiogheny lands: "You may be assured they are out of Pennsylvania territory." (MSS. of the New York Public Library, Emmet Collection.) These are lands on the Youghiogheny River, in Pennsylvania. They lay in the Portage district first occupied by the Virginia advance West, 1748-54, and this letter is explained by the Virginia movement to re-occupy them and control the Ohio against Pennsylvania and the Vandalia promoters. Pennsylvania Archives and Colonial Records, 1st series, 1773-4-5, and Virginia State Papers, of the same period.) . . . .

1773. April 22, William Peters, who is associated with Richard Peters, James Biddle and Richard Peters, Jr., in claims on Croghan's New York lands, writes to Barnard Gratz on the sale of lands to satisfy the claims. (Gratz-Croghan Papers, Historical Society of Pennsylvania.) . . . .

1773. May 15, William Murray, returning from Philadelphia to Illinois, writes the Gratz Brothers from Pittsburgh, after a visit to Colonel Croghan who says that the "New Colony is fixed, Trent immediately expected and the Governor (for the New Colony, Vandalia-Indiana) over in June." "Mr. Croghan," Murray writes, "is empowered by the Proprietaries to grant lands and build houses at this place, which they are assured, will be twelve and three-fourth miles out of Pennsylvania." (Etting MSS., Historical Society of Pennsylvania. When Murray paid Croghan this visit, he was on his way to secure the Illinois Grant of July 20, 1773.)

1773. May 26, Barnard Gratz advertises a sale of Croghan's New York lands by poster, application to be made to him at Mr. Joseph Simon's house in Kinderhook, N. Y. From Kinderhook, Barnard Gratz will go to Johnstown and Albany to meet purchasers. (Original poster, Rosenbach collections, Philadelphia.)

1773. June 2, Michael Gratz writes to Barnard Gratz in New York on cashing an order from Sir William Johnson, and on a consignment of rifles from Simon and Henry, Lancaster, for Detroit. (McAllister MSS., Ridgway Library.) . . . .

1773. July 20, at Fort Gage, William Murray records his grants, made on July 5, 1773, "from the several tribes of the Illinois Nations of Indians at Kaskaskias Village." One deed is from the Mississippi along the Illinois River to the present site of Chicago, to control the water route and portage to the Lakes. A second deed controls the Mississippi front below Kaskaskia to the mouth of the Ohio, and extends back East along the Ohio to secure its control also. Among the proprietors, named for organizing the proposed new Colony (probably on the Vandalia-Indiana plan), John Campbell and Barnard and Michael Gratz were then Croghan's closest associates; Andrew and William Hamilton, of the family of Governor James Hamilton, of Pennsylvania, were also connected with David Franks. The Franks group in Philadelphia and London is substituted for the Whartons. Joseph Simon, of the Indiana Company, and others of the Lancaster group are included. If Murray originated the plan, he would not have attempted it without Croghan's assent. While evidence of Croghan's "concern" is only circumstantial, it is convincing. (An Account of the Proceedings of the Illinois and Ouabache Land Companies, Ridgway Library.)

1773. August 1, Barnard Gratz writes from Philadelphia to Colonel George Croghan that the Burlington Company want his New York lands and push hard so as to get them for little or nothing. Thomas Wharton seems to favor Croghan's interests, but waits until his brother, Samuel, comes home (from London) when, as far as Barnard Gratz can judge from his conversation with Thomas Wharton, Croghan may be eased of many of his difficulties. "Mr. Peters will perhaps take Governor Franklin's mortgage up and take the lands in his own hands." Sir William Johnson offered to buy Croghan's New York house and improvements, or to take Otsego, but as he wished to buy only in a way which might hurt the sale of Croghan's other lands, Barnard Gratz declined his offers. (Barnard Gratz's draft, McAllister MSS., Ridgway Library.)

1773. September 8, Colonel George Croghan writes from Pittsburgh to Barnard Gratz for information about Governor Franklin

and Mr. Peters. He directs that his letters be sent under cover to John Campbell, so that he may get them safely. He has ordered goods from Joseph Simon, of Lancaster, for the treaty. (Gratz-Croghan Papers, Historical Society of Pennsylvania.) The firm of Simon and Campbell, Lancaster and Pittsburgh, which dates from this period, was composed of Joseph Simon, Lancaster, and John Campbell, Pittsburgh. John Campbell's sympathies and alliances were with Virginia. In the conflict between Virginia and Pennsylvania for the control of the Ohio, now increasing in violence, he is treated as one of the enemy in the Pennsylvania Archives, and is suspected of being concerned in plans for getting control of the Ohio River furtrade for Simon and Campbell with Virginia support. (Pennsylvania Archives, 1st series, 1774-6, Virginia State Papers, 1774-1799, index.) . . . .

1774. May 16, William Murray, who has returned from the West, writes to Barnard Gratz in New York from Philadelphia. He hears news that 38 or 40 Indians have been killed by white people on the Ohio, but not a word from Joseph Simon "or any other person at Fort Pitt." He thinks that if the news is true, his scalp will be in danger on his return to Illinois. (Etting MSS., Historical Society of Pennsylvania.)

1774. May 30, John Campbell writes from Pittsburgh and the letter is forwarded by Levy Andrew Levy, in the employ of Simon and Campbell, Lancaster, to Michael Gratz in Philadelphia. He describes the panic on the border and the flight of the traders from the West, where David Duncan was saved from death by the Delaware chief "White Eyes." Logan is "on the war-path." (Etting MSS., Historical Society of Pennsylvania.)

1774. William Wilson, fur-trader at Pittsburgh writes to the Gratz Brothers, on the 31st of May that he has escaped from the Western woods with a great deal of difficulty, saving his life, but leaving behind "near fifty horseloads" of peltry. Blaine, Gibson, Butler, and others were still in the Western woods when he wrote. (Etting MSS., Historical Society of Pennsylvania.) Most of them escaped. Gibson was either Colonel John Gibson of the Indiana Company, or John Gibson, afterwards of Gratz and Gibson, at Pittsburgh, when the firm made advances to the George Rogers Clark expedition of 1781, on the solicitation of George Rogers Clark and the Dorsey Pentecost who is referred to by Captain St. Clair as a Virginia "hostile."

1774. June 3, Barnard Gratz writes from Johnstown, N. Y., to Michael Gratz: "Yours of the 24th of May is duly received with the packet of news of Indian affairs on the Ohio, which is the first account here. I showed it to Sir William Johnson who blames Cresap much." (McAllister MSS., Ridgway Library.)

1774. June 23, Croghan's son-in-law, Augustine Prevost, expected to leave Lancaster next day to meet Croghan, who was then in Virginia with Joseph Simon, looking after the interests of Indiana and Croghan's Western Grants. (Letter of Levy Andrew Levy, Lancaster, to Michael Gratz, McAllister MSS.)

1774. July 22, Mrs. Michael Gratz writes from Philadelphia to her husband at Lancaster, informing him of the death of Sir William Johnson. (Etting MSS.)

1774. Colonel George Croghan writes from Pittsburgh September 29, for Barnard Gratz to "come up" as soon as possible. He hopes soon to hear that the new Colony will be established. He is waiting to hear more from the Virginia government, as he is not certain of Dunmore's final decisions. (Gratz-Croghan Papers, Historical Society of Pennsylvania.)

1775. March 17, at Sycamore Shoals, Richard Henderson, Colonel Nathaniel Hart and other members of the Transylvania Company secured a deed from the Cherokees to nearly the whole of the present State of Kentucky. Governor Dunmore, of Virginia, at once issued a proclamation against them as "disorderly persons." They employed Daniel Boone as their agent and he began the erection of his Fort at Boonesboro in April, 1775. (Fifth Annual Report, U. S. Bureau of Ethnology; Perkins, Western Annals.) While Virginia was engaged with Pennsylvania, this flank movement from North Carolina gave the Transylvania Company time actually to establish the first "new government" in the West. It lasted only long enough to make a record before being set aside by the joint action of independent settlers and the government of Virginia. Henderson accepted the "consolation grants" from Virginia and North Carolina, which the "proprietors of Indiana" afterwards declined from Virginia when offered in exchange for their grant. (Papers of the Lancaster County Historical Society.) . . . .[10]

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[10] Members of the Croghan group were already in Kentucky with their Virginia associates, before Henderson. (See John Campbell in index to Calendar of Virginia State Papers, 1774-1799.) This

1775. July 6, Robert Campbell writes from Pittsburgh to Barnard Gratz that he has favorable accounts from Virginia, to which John Campbell, Joseph Simon and John Connolly are setting out. (Gratz-Croghan Papers.) Robert Campbell is a brother of John Campbell and both become soldiers of Virginia in the Revolution. The business with Virginia concerns Indiana and Croghan's grants.

1775. November, Thomas Wharton writes his brother, Samuel, that Simon, Levy and others of the Lancaster group in the Indiana Company are too much disposed to a compromise, which means with Virginia, and a reference in his letter seems to apply to Murray as also acting with Lancaster against Philadelphia. (Thomas Wharton's Letter Books, Historical Society of Pennsylvania.) [11]

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is John Campbell, of Lancaster, Fort Pitt and Louisville, partner of Joseph Simon, appointed Surveyor General of the Illinois Company while Barnard Gratz was its secretary, 1779. After grants for the present site of Louisville were located in 1773, a new city was advertised at the "Falls of the Ohio" in April, 1774. (See Hening's Statutes of Virginia, index, under John Campbell and Joseph Simon, for Acts of the Virginia Legislature, confirming their rights in the original site of Louisville. These connect with the Kentucky history in which the Gratz Brothers were concerned after the Revolution.)

[11] For the organization of the Indiana Company by Franklin in harmony with the Vandalia colony, and subsequent events, 1776-80, see Wharton Letter Books and Etting Papers, etc., MSS. of the Historical Society of Pennsylvania, and Illinois-Wabash and Indiana Documents, Collections of the Library Company of Philadelphia, at the Ridgway Library. See also The Old Northwest, by Hinsdale, and Papers of the Continental Congress, Mason Papers, etc.

DOCUMENTS RELATING TO THE HISTORY OF THE JEWS IN JAMAICA AND BARBADOS IN THE TIME OF WILLIAM III.

Contributed by Frank Cundall, N. Darnell Davis, and Albert M. Friedenberg.

In September, 1913, Mr. N. Darnell Davis, C. M. G., a corresponding member of this Society, spent some time at Oxford, examining the records in the Bodleian Library. He there found the following fragment (MS. Rawl. D. 924, f. 431), entitled "An Appeal by King William to the Legislature of Jamaica, on behalf of the Jews" (*sic*). Mr. Davis wrote:

. . . . At the time of the French invasion of Jamaica in 1692, just after the great earthquake, the Jews behaved in a most public-spirited manner, which drew much sympathy towards them.[1]

The Oxford MS., which is incomplete, reads as follows:

The Jews in Jamaicoe having long since enjoyed the Libertyes to them granted by their Majestys' Letters patents of dinization and by other lawfull patents from the governours of that Island by w^{ch} they are allowed and entitled to bee shopkeepers and to sell by the Retayle, great many poore people of them having that onley way of Living to mantaine their familyes wth the healp of others of their nation that are marchants there.

Now it hath hapened, that since the death of my Lord[2] late govern^{r} of the s^{d} Island, the Counsell there being assembled, some english march^{tes} and others, who are desirous to have the Jews deprived from their priviledges they enjoy as above, did to that purpose petition that Counsell, wherein the petition was att their Request soe earnestly admited, that many members of the Counsell

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[1] Letter to Albert M. Friedenberg, Corresponding Secretary, September 18, 1913.

[2] A blank follows this word in the MS.

did signe to it and have now sent it to their Majesteys desiring confirmation and their Royall assent, w^ch^ proceedings, if their Majesteys out of their Royall bounty, bee not pleased to stop and avoyd, it will bee the uter Ruine of soe many poore familyes, by whose meanes (although in such Low circumstances) the trade of that Island is very much promoted and augmented.

Acting upon a suggestion contained in Mr. Davis' letter, a copy of the foregoing document was sent to Mr. Frank Cundall, F. S. A., also a corresponding member of this Society, who is the Secretary of the Institute of Jamaica. He replied in a memorandum, dated October 29, 1913, printed below, and gave it as his opinion that the "petition concerning the Jews in Jamaica in the time of King William III.," as copied by Mr. Davis, is identical with the document No. 2418. i. in the Public Record Office, London, calendared on p. 691 of the volume cited by Mr. Cundall, which he describes. Thereupon, copies of all these documents were secured through the courtesy of Rev. S. Levy, M. A., a corresponding member. Mr. Cundall's memorandum and the three London documents are printed on the following pages:

It is obvious that the petition was written during the joint reign of William and Mary, 1689-94. The only peers who had been governors of Jamaica before then were Lord Windsor, Lord Vaughan, the Earl of Carlisle, the Duke of Albemarle and the Earl of Inchiquin.

It could not have been Lord Vaughan because he did not die until 1713: it could not have been the Duke of Albemarle, because he would not have been thus alluded to: it seems to me without doubt that it refers to the Earl of Inchiquin who died in 1691-2.

In the "Calendar of State Papers, Colonial Series, America and West Indies, 1689-1692," (1901) p. 593, occurs a letter, dated January 28, 1691/2, from the President and the Council of Jamaica to the Lords of Trade and Plantations in which it says:

Lord Inchiquin died on the 10th instant [*sic* 16th] and we have assumed the government . . . . The Jews eat us and our children out of all trade, the reasons for naturalising them not having been observed; for there has been no regard had to their settling and planting as the law intended and directed. We did not want them

at Port Royal, a place populous and strong without them; and though told that the whole country lay open to them they have made Port Royal their Goshen, and will do nothing but trade. When the Assembly tries to tax them more heavily than Christians, who are subject to Public duties from which they are exempt, they contrive to evade it by special favours. This is a great and growing evil and had we not warning from other Colonies we should see our streets filled and the ships hither crowded with them. This means taking our children's bread and giving it to Jews. We believe that it could be avoided by giving a little more confidence to the Council.

112

To the Queen[a] Most Excellent Majesty.

The Humble peticõn of Isaque Fernandez Diaz, Isaque Moses Baruk—Isaque Nunez Phineas Abarbanel Isaque Rodriguez de Sousa Aron Jacob Soarez Samuel de Cazerez Jacob David de Roblez Isaque Mendez Gutierez, Jews Late of Jamaica Merchants Humbly sheweth

That whereas your peticõners having inhabited for Severall years in your majesties Island of Jamaica and by that most terrible Earthquake which happened there on ye 7th of June Last have Lost all they had in the World humbly begg your majesties favour to be made free Denizons.

At the Court at Whitehall
Aug ye 30th 1692

Her Maty is graciously pleased to referr this Petition to the Right honble the Lords of the Comtee of Councill for Trade and Forreigne Plantations to consider thereof and Report what her Maty may fitly doe therein whereupon her Maty will declare her further pleasure.

Nottingham.

Moses Coutino With three or fower more others humbly prays the Right honourable the Lords of This Comeetee may Report favourably In their behalf to bee made free Denizons for the Plantations of their Majiesties.[4]

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[4] "Calendar of State Papers, Colonial Series, America and West Indies, 1689-1692," No. 2418.

112 I

The Jews in Jamaica having long since Enjoyed in their way of Trade the Liberty to them granted by their Ma^{tles} Letters Pattents of Denization under the Great Seal of England, and by other Lawfull Patents from the Govern^{rs} of that Island, by which they are allowed and Entitled to be shop Keepers and to sell by ye Retaile, a great many poor people of them, having that only way of Living to maintain their Families, with the help of others of their nation that are merchants there

Now it hath hapned that since the death of my Lord Incequin late Govern^{e} of the said Island, the Councill there being assembled, some English merchants and others that are desirous to have the Jews deprived of those Priviledges they enjoy as above, Did to that purpose Petition the said Councill, wherein the Petition was at their Request so earnestly admitted, that many members of the Councill have signed to itt, And have now sent it to their Ma^{tles} desireing confirmation, and their Royall assent Which proceedings If their Ma^{tles} out of their Royall Bounty be not pleased to stop and Avoyd, it will be the Utter Ruine of so many poor Families that live in that Island and by whose meanes (altho' in such low Circumstances) the Trade there is very much promoted and augmented.[5]

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112 II

The Jews Plantations and houses in Jamaica and Barbados are as followeth

In Jamaica M^{r} Karbona as a plantation in Leganee (?) wh[ich] he has bought and paid for

M^{r} Solomon Gabay has a Plantation for many yeares in magitt Savana.

M^{r} Joseph Ridana as a Plantation in ye same place

M^{r} Solomon acton as a plantation in ye North Side in port Mary

M^{r} Abraham Gabay has a plantation in white hood

M^{r} Benjiamen Corvalo as a plantation in ye same place

M^{r} Moses Jessurun Cardezo as 15 houses

M^{r} Joseph da Costa Alvaringa as 10 houses

M^{r} David Alvarez

M^{r} Jacob Mendez Gutierez

M^{r} Jacob Detorez

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[5] *Ibid.*, No. 2418. i. With this petition of the council concerning the Jews, the Rawlinson MS., *supra*, may be compared.

M^{rs} Sarrah Gabay
In Barbados whose names here have houses and plantations with severall others not here mentioned
M^{rs} Gratia de Meriado
M^{r} Joseph Mendez
M^{r} Abraham Baruk Heneriquez
M^{r} Luiz Diaz
M^{r} Roel Gideon
M^{r} Abraham Gomez
M^{r} Abraham Buino Demesquieta
M^{r} Fernandez Nunez
M^{r} Luiz Camartho.[6]

[6] *Ibid.*, No. 2418. ii.

THE STARTLING EXPERIENCE OF A JEWISH TRADER DURING PONTIAC'S SIEGE OF DETROIT IN 1763.

By Hon. David E. Heineman.

In an earlier volume[1] of the *Publications* of this Society, attention was called to some data indicating the presence of Jewish traders in Michigan at a very early day. The matter there submitted was mainly the result of random notes and what is now presented here has an identical source. One of the main points there sought to be established was that

there was probably no time from the first advent in appreciable numbers of white inhabitants in Michigan when Jewish representation was entirely lacking, that with the earliest arrival of English traders from Canada, Jewish traders, reputable men, daring pathfinders and pioneers, had their share in the establishment of the posts that clung timidly to the shores of the Great Lakes and upon the edges of the inhospitable forests bordering upon their waters.[2]

In confirmation of this statement, some indisputable references to Jewish traders at Detroit during Pontiac's memorable siege of 1763 are here set forth and one of these, whose uncanny experience furnishes the title to these references, is a man by the name of Nathan Chapman.

It will be recalled that the attacks made on the posts along the Great Lakes in 1763 were concerted surprises and any white wayfarers who chanced to be upon those waters received their first intimation of the state of affairs by finding them-

[1] No. 13, p. 47 *et seq.*, "Jewish Beginnings in Michigan before 1850," by the present writer.

[2] *Ibid.*, p. 57.

selves captured by the Indians. This is what happened to Chapman, to a trader, who because of his name Levy, is assumed to be a Jew, and to two other persons, whose names are not given but who are described simply as "two Jews."

In the "Diary of the Siege of Detroit,"[3] written by Major Roberts, the Indian tactics of making captives and then dickering for their release are described with reference to the above persons. Under date of May 22, 1763, Roberts makes entry of a message from the Hurons

that they had taken Chapman and his Merchandize, as also a Cannoe with five Englishmen coming from Sandusky yesterday, among whom were Mr. Smallman and two Jews, who must have all fallen into worse hands if they had not taken them, as they had not killed any of them: they desired to know what opinion the Comandant had of them, that if he wou'd make Peace with them they wou'd give up their Prisoners and pay Chapman for the Part of his Merchandize that fell to their Lot in the Division of them with the other Indians.

The Commandant agreed to this but whatever came of the arrangement, it would seem that Chapman still had some months of exciting experience awaiting him. The diary, under date of July 11, shows this entry:

This Day the Hurons brought in the goods (that had fallen to the Share of three or four Bands) that belong'd to Chapman & Levy & others.

A further entry of this date reads:

We heard today that the Miami Indians were gone off with Mr. Levy.

Levy's capture is indicated in the entry of July 10, where it is stated that Miami Indians approached the fort with a flag to speak to the Commandant about

one Levy they had Prisoner but not daring to come any nearer they sent in a list of Things by a Frenchman that he had promis'd them if they wou'd give him up.

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[3] This *Diary* has been published only once: Albany, 1860, by J. Munsell. The book is scarce, 300 copies having been printed for subscribers only.

On July 12, the

Puttawattamees came again with Mr. Chapman.

and others, and the Commandant told them to bring in all the prisoners and he would release their brother. Whether this wholesale exchange took place, we are not told and there is no hint of the fate of Levy and the rest, other than Chapman. These diary entries give us but a vague idea of the trials of such captives to whom escape was only possible by making terms by force or favor with one tribe after another.

Chapman's experience is preserved for us by the record of one who had it from his own lips, the Rev. John Heckewelder of Bethlehem, the Missionary of the United Brethren, whose "Account of the History, Manners and Customs of the Indian Nations" was published at Philadelphia in 1819 in volume i of the *Transactions* of the Historical and Literary Committee of the American Philosophical Society, and reprinted later in volume xii of the *Memoirs* of the Historical Society of Pennsylvania. It reads as follows:

About the commencement of the Indian war in 1763, a trading Jew, named Chapman, who was going up the Detroit river with a batteau-load of goods which he had brought from Albany, was taken by some Indians of the Chippeway nation, and destined to be put to death. A Frenchman impelled by motives of friendship and humanity, found means to steal the prisoner, and kept him so concealed for some time, that although the most diligent search was made, the place of his confinement could not be discovered. At last, however, the unfortunate man was betrayed by some false friend, and again fell into the power of the Indians who took him across the river to be burned and tortured. Tied to the stake and the fire burning by his side, his thirst from the great heat, became intolerable, and he begged that some drink might be given to him. It is a custom with the Indians, previous to a prisoner being put to death, to give him what they call his last meal; a bowl of pottage or broth was therefore brought to him for that purpose. Eager to quench his thirst, he put the bowl immediately to his lips, and the liquor being very hot, he was dreadfully scalded. Being a man of very quick temper, the

moment he felt his mouth burned, he threw the bowl with its contents full in the face of the man who handed it to him. "He is mad! He is mad!" resounded from all quarters. The bystanders considered his conduct as an act of insanity, and immediately untied the cords with which he was bound, and let him go where he pleased.

This fact was well known to all the inhabitants of Detroit from whom I first heard it, and it was afterwards confirmed to me by Mr. Chapman himself, who was established as a merchant at that place.

Heckewelder cites the incident in his chapter on Insanity among the Indians, in which he speaks of that malady as being not uncommon among them, but nevertheless a thing that compels their superstitious awe. The custom of the last meal, as it is called in the above, seems curious. An acquaintance of the writer, whose first-hand acquaintance with Indian law and lore is unusually comprehensive, readily interprets its motive as one of forestalling on the part of the victim an ill report of his slayers to the spirit world.

Of Chapman's later residence and occupation in Detroit the writer finds some evidence. One is his signed autograph letter to John Askin, a leading trading merchant of Detroit, requesting

One Pound Six Shillings N. Y. Currency for Value Received,

and the other an order on the same party in Chapman's favor calling for

thirty five half pints of Rum, it being his Due from the 23 of April to the 28 of May.

As the times then were, both of these writings may fairly be considered as orders for currency. They are both dated in May, 1796, and are preserved in the third of the fifteen hundred volumes of the Burton MSS. in the Detroit Public Library. The writer has inquired of Mr. Burton, whose knowledge of early Detroiters is very remarkable, regarding Chapman, and he states that he left descendants who remained residents of Detroit.

The presence of certainly three and possibly four Jews, all engaged as or with traders, at Detroit during the summer of 1763, evidences great activity on the part of Jews in the pioneer commerce of those parts and makes the presence of others of the same race less improbable. In Heckewelder's "Narrative of a Journey to the Wabash," also published by the Pennsylvania Society, there is a reference to the murder, while on his way to Saginaw, of a trader, whose name brings him within touch of this probability. It speaks of an attack by the Chippewas on

a Mr. Jacobs, a trader and his hands, while on their way to Sagina, about sixty miles distant from Detroit, in which Jacobs and one of his men lost their lives. Jacobs shot dead one of the gang, after being mortally wounded himself.

In any case, this epitome of a forgotten tragedy serves to reveal to the imagination, the fearlessness and daring of those who first blazed the way for Commerce through the Wilds.

A SKETCH OF THE LIFE OF DAVID LINDO.

By Alicia Lindo.

David Lindo was born of Jamaica Jewish parents, at the end of 1833 in the island of Jersey. Eighteen months after his birth the family went over to England, from whence at the end of about six years they returned to Kingston, Jamaica. Till he was thirteen years of age, he was educated entirely at home and did not, up to that period, evince any particular intelligence or desire for study. The family then removed to Cincinnati, Ohio, where he went to a public school for three years. Schools did not then give the extensive education that is now obtainable at them, and there was nothing there taught that would at all tend to develop the turn of his mind at this time beginning to show itself in the interest he took in everything relating to chemistry. So marked was this tendency that his father wished to place him with a pharmaceutical chemist, but he was a delicate lad at the time, as indeed he was all his life, and it was considered advisable he should live a good deal in the open air. Nevertheless he persisted in studying every book on the subject he could get hold of, until when he was about sixteen and the family had returned to Jamaica, he began to experiment—his only appliances being a wash-tub and an old packing-case for a laboratory. He was totally unaided in his studies, no one in Falmouth, Jamaica, having the slightest knowledge of the subject, and he never had the opportunity of attending a single lecture in his life, so that he was actually self-taught. He had, by the time he reached the age of twenty-seven, a fairly well-equipped laboratory; but at about this period the business in which he had been engaged failed, through the dishonesty of others; the

want of means obliged him for a time to abandon his favourite study, and he locked up his laboratory and never entered it for a period of seven years. At the end of that time he became more prosperous when a circumstance connected with his business occurred which caused him to resume the pursuit of this fascinating science, and to enter into it more warmly than ever. A dispute had arisen between himself and a large Manchester manufacturing firm in respect of a quantity of unbleached calico he had ordered from them, which arrived covered with mildew. The firm contended that these goods had either got wet on the voyage or were being kept in a damp place. As there was nothing to show that either of these suppositions was correct, he went fully into the matter, and by analysis proved to the satisfaction of the firm that to lessen the cost of production they had stinted the chloride of zinc used in the sizing of the calico, and that from this cause the mildew had arisen. The firm were so pleased with his action in this matter that they not alone made good his losses on the calico, but offered him a large bonus besides for pointing out the error in the manufacture, but this he refused.

From this period David Lindo began the series of original researches [1] that have proved of so much value to science, and

[1] The following is a list of the papers contributed to the *Chemical News* by David Lindo:

Proposed Tests for Carbolic and Nitric Acids. Vol. xxxvi, No. 932, 1877.

The Proposed Carbolic Test for Nitric Acid. *Ibid.*, No. 934, 1877.

Test for Santonin. *Ibid.*, No. 938, 1877.

Action of Sulphuric Acid and oxidizing agents on Morphia and its Salts. *Ibid.*, No. 939, 1877.

Notes on Carbolic Test for Nitric Acid. Vol. xxxvii, p. 3, 1878.

Coloured Crystalline Compounds Obtained from Brucine. *Ibid.*, p. 98, 1878.

Detection of Nitric Acid. Vol. xxxviii, No. 975, 1878.

Morphia Reactions. *Ibid.*, No. 976, 1878.

Glucose Reaction. *Ibid.*, No. 982, 1878.

which have made his name known not only in England but on the continent of Europe. When it was decided to appoint an Island Chemist the post was offered to him, but he refused it, as he feared it might interfere with his independent pursuit of a science he loved entirely for its own sake, never having sought to make money by it.

He died, unmarried, in Falmouth, Jamaica, in 1889.

Coloured Compounds obtained from Brucine. *Ibid.*, No. 982, 1878.

Examination of Caoutchouc Goods. Vol. xxxix, p. 99, 1879.

On the presence of red Oxide of Mercury in old samples of grey powder. Vol. xlii, No. 1080, 1880.

Improvements in Batteries. Vol. xliv, No. 1133, 1881.

Estimation of Potassium as Platinum Salt. *Ibid.*, Nos. 1133, 1134, 1135, 1137, 1881.

Estimation of Chlorine with the aid of Gooch's Method of Filtration. Vol. xlv, No. 1171, 1882.

Estimation of Phosphoric Acid in Magnesic Pyrophosphate. Vol. xlvii, No. 1206, 1883.

On the Estimation of Phosphoric Acid as Magnesic Pyrophosphate, and the influence of certain reagents employed in separating the acid from the bases. Vol. xlviii, Nos. 1250, 1251, 1252, 1883.

On the Estimation of Phosphoric Acid in Fertilizers. The Oxalic Acid Method compared with the Molybdic. Vol. xlix, No. 1280, 1884.

On Vitreous and Ordinary Amorphous Silica. Vol. l, No. 1286, 1884.

Estimation of Potash. Vol. liii, No. 1386, 1886.

New Sugar Reactions. Vol. lv, No. 1434, 1887.

Notes on the Thymol and Menthol Sugar Tests. *Ibid.*, No. 1435, 1887.

On the Estimation of Potash in Commercial Fertilizers. Vol. lvi, No. 1455, 1887.

Preservation of Solutions of Hydrogen Sulphide. Vol. lvii, pp. 173, 175, 1888.

Phenol and Some Allied Substances as Tests for Nitrates, Nitrites and Chlorates. Vol. lviii, pp. 1, 15, 28, 1888.

Griess' Sulpharitic Test for Nitrous Acid Modified. *Ibid.*, p. 40, 1888.

Tests for Antipyrine, Antifebrine and Saccharin. *Ibid.*, p. 51, 1888.

Resorcinol as a Test for Nitrates. *Ibid.*, p. 155, 1888.

Analysis of Glass. Vol. lx, pp. 14, 33, 41, 1889.

The following note supplied by his nephew, Mr. R. H. Lindo, may be of interest:

He had a complete set, up to the time of his death, of the *Chemical News;* it was handed down with the rest of his library to the Laboratory of the Island Chemist.

In the text books as used by the medical faculty will be found many of his tests that have been adopted by them. The principal one that I now remember was the test for albumen. His test for nitrates and nitrites was very delicate and fine, the reactions were very pretty and in all details were as reliable and delicate if not more so than Grease's. The reagent he used was base resorcin with 10% copper solution.

About six months before his death he was engaged in a most important investigation, one that I think would prove most valuable to manufacturers of glass. By the merest chance he discovered that all the best Bohemian glass in his laboratory gave a strong alkaline reaction (lime), and he set himself the task of finding out the cause. This was abundantly clear—that the lime was not in proper combination; it therefore exuded to the surface decomposed, and in many instances most beautiful fern-like patterns were to be seen on glass that had been standing for any length of time. The reactions on these were of course very strong, on others there might be a white stain, and on most no visible sign at all, but a clear and brilliant glass; but on testing with phenolphthalein a strong alkaline action would result, and this could be repeated within 24 hours again after it had been washed off completely so as not to react immediately, proving that the decomposition of lime was rapid and exuded to the surface equally so.

His conclusions on the point were as follows. The best glass is made as free from alumina as possible to ensure among other things brilliancy—this is as it should be, *provided* that through an error of judgment there is not the slightest chance of "short-furnacing" as, should this occur, a proper combination does not take place and the lime breaks away, exudes to the surface with the consequent white stain, delicate fern patterns, and in most instances no visible sign at all. Therefore if there is any possible chance of this "short-furnacing" there should be added a percentage of alumina which tends to hold the lime in check and to all intents and purposes a perfect combination is assured in spite of "short-furnacing," but the small percentage of alumina is just the point that Mr. Lindo did not determine; on the eve of settling

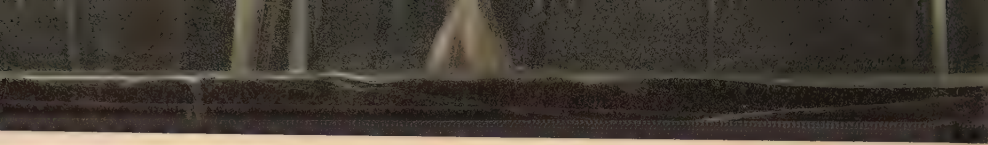
this he fell ill and died, so that this, his last work, has never been made public.

His laboratory was the finest in the West Indies. It was the picture of cleanliness and neatness and his manipulation was perfect. His method of explanation to the novice left nothing to be desired, and he always extended a hearty welcome to his work-room to any one at all likely to take an intelligent interest in the study of chemistry.

The United States Government offered a prize, with a six months' duration clause for the best method of determining the total nitrogen in fertilizers; his method combined with the American Sladding's was adopted, and is known in the text-books as the Lindo-Sladding method.

One who was familiar with Lindo's work says:

His work had important bearing upon chemical studies, chiefly in the direction of improvements in methods of chemical analysis; in this connection his investigations on the estimation of potassium and of phosphoric acid are the most important, and deserve to be considered almost classical. The methods of working which he suggested are virtually those in use at the present day all over the world. His work was characterized by his extreme care in matters of detail whereby he attained remarkable degrees of accuracy.



PROCEEDINGS RELATING TO THE EXPULSION OF EZEKIEL HART FROM THE HOUSE OF ASSEMBLY OF LOWER CANADA.

CONTRIBUTED BY RABBI JULIUS J. PRICE.

FRIDAY, 29TH JANUARY, 1808.[1]

Mr. Berthelot acquainted the House, that Ezekiel Hart, Esquire, returned to represent the Borough of Three-Rivers, had taken the Oaths, and was waiting without the Bar to be admitted.

A member having asked, whether Mr. Hart took the Oaths in the customary manner?

Mr. Berthelot added, that Mr. Hart took the Oaths on the Bible, his head being covered.

Mr. Turgeon, informed the House, that he was present with Mr. Berthelot, when Mr. Hart took the Oaths, and that he did take the said Oaths in the manner described by Mr. Berthelot.

MONDAY, 1ST FEBRUARY, 1808.

The House was moved, that the entry of the twenty-ninth of January last, respecting the application of Ezekiel Hart, Esquire, to be admitted to take his seat as a Member of this House for the Borough of Three-Rivers, be now read.

And the said entry being read accordingly.

Mr. Berthelot acquainted the House that in the information given by him on the twenty-ninth day of January last he said that Ezekiel Hart, Esquire, had taken the Oath and not the Oaths.

Upon motion of Mr. Attorney General, seconded by Mr. Justice De Bonne, Resolved, That it is the opinion of this House, that Ezekiel Hart, Esquire, returned to represent the Borough of Three-Rivers, hath not taken the Oath in the customary manner.

Ordered, That the Clerk Assistant of this House do furnish the said Ezekiel Hart, Esquire, with a Copy of the next preceding

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[1] From the Journals of the House of Assembly of Lower Canada for the years 1808 and 1809.

resolution, to the end that he may thereupon pursue such further course in the premises as the law of Parliament may be found to require.

FRIDAY, 12TH FEBRUARY 1808.

A petition of Ezekiel Hart, Esquire, returned to represent the Borough of Three-Rivers, was read by Mr. Mure, in his place.

Mr. Mure moved, seconded by Mr. Berthelot, that the said petition be now brought up.

The House was then moved, that the information given to this House, on the twenty-ninth day of January last, touching the manner in which Mr. Hart had taken the Oaths; with the resolution and order of the House on the said information, the first of February instant; as also the petition presented to this House, the ninth instant, from Thomas Coffin, Esquire,[2] against the return of the said Ezekiel Hart, be now read.

The said information, resolution, order and petition, were read accordingly.

The question was now put, viz:

That the petition of Ezekiel Hart, Esquire, be brought up?

Ordered, that the said petition be brought up.

The said petition was, accordingly brought up and read.

Setting Forth: That to his deep regret, a resolve of this House has been communicated to him, expressive of the petitioners not having taken the Oath in the customary manner.

That on the 29th day of January last, he duly did take the Oath as prescribed [3] by Statute 31st of his present Majesty, chapter 31st, Section 29th, to qualify the petitioner to a seat in this House.

The said Oath was administered to the petitioner in a conscientious and lawful manner as directed by His Majesty's Commissioners, and that the petitioner regards the said oath on his part legal, binding and sacred to every purpose whatsoever.

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[2] On the 9th of February, a petition was received from Mr. Coffin setting forth that Ezekiel Hart, being of the Jewish Religion, was incapable of taking the oaths required and therefore of sitting and voting in the House of Assembly and that the votes given him at the election ought to be considered as null and void and requesting that the petitioner, having a majority of legal votes, be declared elected for the Town of Three Rivers.

[3] For a copy of the oath prescribed see Shortt and Doughty, "Constitutional Documents, 1759-1791" (1907), p. 701.

That however sensible he is, that he has taken the Oath according to the true meaning of the Constitutional law of this Province, yet he will not object to have the same re-administered to him in the usual form.

The Petitioner therefore humbly solicits, that the House will be pleased to admit the petitioner to take his seat accordingly.

WEDNESDAY, 17TH FEBRUARY 1808.

Ordered, That the entries in the Journals touching the manner in which Ezekiel Hart, Esquire, (returned to serve in this House as a member for the Borough of Three-Rivers) took the oath prescribed by the 31st of his present Majesty, chapter 31st, be now read—And the said entries were read accordingly.

Resolved, That the manner in which the said Ezekiel Hart, Esquire, took the said Oath is that practised in Courts of Justice, when Oaths are administered to persons professing the Jewish religion.

Resolved, That this House do now receive information from the Members thereof, or any of them, touching their knowledge of the religious profession of Ezekiel Hart, Esquire.

Accordingly the House proceeded to receive the said information.

And Mr. Mure in his place, acquainted the House, that a few days ago, Mr. Hart informed him, personally, that he was brought up in the profession of the Jewish religion, and that he was still of that persuasion.

And Mr. Mondelet, in his place, acquainted the House, that in a recent conversation with Mr. Hart, the said Mr. Hart, told him, he could not deny that he was a Jew; that he had always professed, and did still profess the Jewish religion; and that this avowal on the part of Mr. Hart, was made since he has been soliciting to be permitted to take his seat in the House and since he took the Oath.

And the Honorable Mr. Justice Foucher, in his place, acquainted the House, that to his certain knowledge, the said Ezekiel Hart, is a professed Jew; that he has attained this knowledge from having known him to be a Jew from the beginning of the year 1803. That he (Mr. Hart) follows the Jewish customs, and that in the Courts of Justice he never took the oath but in the form it is taken by Jews. Mr. Justice Foucher, further added, that as a Judge, he particularly knows the said Hart to be a Jew; as he had, lately, in person, pleaded before him, for certain privileges to which he conceived he had a right, to wit; that of not being summoned to

appear in the Courts of Justice on Saturday, it being his Sabbath day, and that of the Jews.

Resolved, That it appears to this House, that Ezekiel Hart, Esquire, returned to serve in this House as a Member for the Borough of Three-Rivers, is of the Jewish profession of religion.

Resolved, That the said Ezekiel Hart, Esquire, be heard at the Bar of this House, on Friday next, by himself[4] or Council, if he shall see fit, on the legality of his pretentions to take his seat in this House, and to sit and vote therein, notwithstanding his being of the Jewish religion, and his having taken the Oath in the manner customary only for persons of that persuasion.

Ordered, That a copy of the Resolutions and information of this day, respecting the said Ezekiel Hart, Esquire, be furnished to him by the Deputy Clerk of this House.

SATURDAY, 20TH FEBRUARY, 1808.

The order of the day for the House to resolve into a Committee of the whole, to take into further consideration, the petition of Ezekiel Hart, Esquire, being read.

The House accordingly, resolved itself into the said Committee.

Mr. Speaker left the Chair.

Mr. Vige took the Chair of the Committee;

Mr. Speaker resumed the Chair.

And Mr. Vige reported, that the Committee had come to a resolution, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered, that the report be now received.

And he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read, and is as followeth, viz.

Resolved, That it is the opinion of this Committee, that Ezekiel Hart, Esquire, professing the Jewish Religion, cannot take a seat, nor sit, nor vote in this House.

Mr. Justice Foucher moved, seconded by Mr. Cartier, that the question of concurrence be now put upon the said resolution.

The House divided upon the question:

Yeas 21,
Nays 5,

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[4] On the appointed day, Mr. Hart was heard at the Bar of the House, and the Assembly resolved that on February 20th it would resolve itself into a Committee of the Whole House to further consider Mr. Hart's petition.

So it was carried in the affirmative, and

Resolved, that Ezekiel Hart, Esquire, professing the Jewish Religion, cannot take a seat, nor sit, nor vote in this House.

WEDNESDAY, 19TH APRIL, 1809.

Mr. Mondelet moved, seconded by Mr. Trestler, to resolve, that Ezekiel Hart, Esquire, returned as one of the Representatives of the Borough of Three-Rivers, to serve in the present Provincial Parliament, and who is now sitting in this House, is the same Ezekiel Hart, who was returned to serve in the Fourth Session of the Provincial Parliament in the room of the late Honourable John Lees for the aforesaid Borough.

On motion of Mr. Bourdages, seconded by Mr. Jos. Turgeon:—

Ordered, That Mr. Mondelet's motion, be amended as follows, viz.

After "Resolve" leave out all the other words and insert, "that this House do now receive information, through the Members thereof, or any of them, whether Ezekiel Hart, Esquire, returned as one of the Members of this House, to sit therein, in the room and stead of the late Honourable John Lees, is the same Ezekiel Hart who is returned as elected to serve in the present Parliament, and who has already taken his seat, as one of Representatives for the Borough of Three Rivers, and the same who was declared incapable of sitting and voting during the last Session."

The question was now put on the main motion as amended, which was agreed to. Ordered, that the House do now receive the said information:

The House accordingly proceeded to receive the said information:

And, Mr. Mondelet, and Mr. Bourdages, in their places, severally informed the House, that Ezekiel Hart, Esquire, returned as one of the Members of this House, to sit therein in the room and stead of the late Honourable John Lees, is the same Ezekiel Hart who is returned as elected to serve in the present Parliament, and who has already taken his seat, as one of the Representatives for the Borough of Three-Rivers, and the same who was declared incapable of sitting and voting during the last Session.

And Mr. Mure, in his place, informed the House, that Mr. Hart, who now sits in the House as a Representative for the Borough of Three-Rivers, is the same Ezekiel Hart, Esquire, that was returned to serve in the last Provincial Parliament for the said Borough, in the place and stead of the late Honourable John Lees.

Mr. Mondelet now moved to resolve, seconded by Mr. Durocher:

That Ezekiel Hart, Esquire, who sits in the present Parliament as one of the Representatives of the Borough of Three Rivers, is the same Ezekiel Hart, who was returned as one of the Representatives of the said Borough, in the last Parliament, and was declared incapable of sitting and voting in the last Session; as he professed the Jewish religion.

The House divided on the question: Yeas 35, Nays 5,

So it was carried in the affirmative, and—Resolved accordingly.

FRIDAY, 5TH MAY, 1809.

The order of the day for reading the entries in the Journals, containing the information given to this House, on the 17th of February, 1808, concerning the Religion of Ezekiel Hart, Esquire, be read:

The said entries were accordingly read by the Clerk.

Mr. Mondelet moved, seconded by Mr. Robitaille, to resolve that the Members of this House, in whose presence Ezekiel Hart, Esquire, took the Oath, at the opening of the present Parliament, do inform the House, how he took the said Oath.

So it was carried in the affirmative; and, Resolved accordingly.

And the House proceeded to receive the said information.

And Mr. Bourdages and Mr. Duchesnay, in their places, respectively acquainted the House, that they were present, when Ezekiel Hart, Esquire, one of the Representatives of the Borough of Three Rivers, did take the Oath; that the head of the said Ezekiel Hart, was uncovered, and his hand on a book. That when the said book was presented to Mr. Blackwood, one of the Members who was sworn with the said Ezekiel Hart, he, Mr. Blackwood, asked the Commissioners appointed to administer the Oaths to the Members, what book it was? that the said Commissioners answered "It is the New Testament"; that Mr. Blackwood said, it is very well; kissed the book, and presented it to Mr. Hart; who kissed it also.

Mr. Mondelet now moved to resolve, seconded by Mr. Martineau:

That Ezekiel Hart, Esquire, professing the Jewish Religion, as appears by the entry of the 17th February, 1808, in the Journals of the last Session, and inasmuch, as he did at the opening of the present Session, take an Oath on the Holy Evangelist, which could not bind him, and did therefore profane the Religious institution thereof, cannot take a seat, nor sit, nor vote in this House.

Whereupon Mr. Bedard moved in amendment, seconded by Mr. Papineau, to strike out all the words after, "Religion," and insert the following, "cannot sit nor vote in this House."

The question was not put upon Mr. Bedard's proposed amendment; a division again ensued; and the names being called, for, they were taken down as follows; videlicet:

Yeas,

Messieurs Durocher, Joseph Turgeon, F. Roi, Delorme, Langlois, M. Caron, L. Turgeon, L. Roi, Bourdages, Huot, Plante, Bedard, Mondelet, Borgia, Papineau, Robitaille, Coffin and Martineau.

Nays,

Messieurs Moore, J. Cuthbert, Justice De Bonne, Gray, R. Cuthbert, Blackwood, The Solicitor General, and Mure.

So it was carried in the affirmative.

The question being put upon Mr. Mondelet's motion, as amended, the House divided; and the division proving to be the same as the last; videlicet:

Yeas 18, Nays 8,

Resolved, that Ezekiel Hart, Esquire, professing the Jewish religion, cannot sit, nor vote in this house.[5]

On Wednesday the 10th of May 1809, this bill was referred back to the Governor General's House who took the following attitude with regard to the above proceedings.[6]

WEDNESDAY, 10TH MAY 1809.

At the Council Chamber in the Governor General's House, present,

His Excellency Sir James H. Craig, K. B. Governor in Chief,
The Honble. The Chief Justice,
The Lord Bishop of Quebec,
Thomas Dunn, Francois Baby, Pierre A. DeBonne.
John Young, and Jenkin Williams, Esq.

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[5] On the 8th of May the Speaker was informed that there was a vacancy in the representation for the Borough of Three Rivers. The Dissolution of Parliament removed the necessity for holding a bye-election and in the general election which followed Ezekiel Hart was not a candidate.

[6] From the original Minutes of the Executive Council, Canadian Archives, State Book E, p. 511.

His Excellency communicated to the Board the Report of the Committee of the whole Council in Answer to the Queries proposed for their Consideration on the 19th of April last.

Approved and ordered to be entered.

(The report)

To His Excellency Sir James H. Craig K. B. Captain General & Governor in Chief of the Province of Lower Canada &c &c &c.

Report of a Committee of the whole Council—Present, the Hon. the Chief Justice in the Chair, the Lord Bishop of Quebec, Mr. Dunn, Mr. Baby, Mr. DeBonne, Mr. Young, and Mr. Williams—On His Excellency's Reference, in Council, of the 19th April last, of certain Queries relative to the eligibility of Jews to sit in the House of Assembly.

May it please Your Excellency.

The Committee is of opinion that a Jew may be elected to the House of Assembly of this Province and may sit and vote upon taking the Oaths required by Law in the customary manner.

This opinion is founded upon the following Reasons—

By the Statute 13 Geo. II, Cap. 7. It is enacted that all Foreigners naturalized by that Act " shall be deemed adjudged and taken to be His Majesty's natural born " Subjects to all intents constructions and purposes whatsoever as if they and every of them had been or were born within the Kingdom " and it is self evident from the second Section of this Act that Jews are comprehended within its intention.

By the Statute 31 Geo. III, Cap. 31, Sec. 2, it is enacted that there shall be in each of the Provinces of Upper & Lower Canada a Legislative Council and Assembly to be " composed and constituted in the manner therein after described."

By the 14th Section of the same Act it is enacted that His Majesty may authorize the Governor by an Instrument under the Great Seal to summon and call together an assembly in and for the province and the State then proceeds to declare how this Assembly is to be " constituted and composed " for which purposes the 14th 15th 16th 18th and 19th Sections provide for the division of the Province into Counties for the Appointment of Returning Officers and the issuing and execution of the Writs of Election. The 17th Section enacts that the number of members shall not be less than fifty and the 20th having declared the qualification of the Electors. It is by the 21st Section provided that no person shall be capable of being elected a Member to " serve in the Assembly or of sitting or Voting therein who shall be a member of the Legislative Coun-

cil or a Minister of the Church of England or a Minister Priest Ecclesiastic or Teacher either according to the rites of the Church of Rome or under any other form or profession of Religious Faith or Worship."

By the 2nd "that no person shall be capable of being elected who shall not be of the full Age of 21 years and a Natural born Subject of His Majesty or a Subject of His Majesty naturalized by Act of the British Parliament or a Subject of His Majesty having become such by the Conquest and Cession of the Province of Canada."

And by the 23rd "that no person shall be capable of being elected who shall have been attainted for Treason or Felony in any Court of Law within any of His Majesty's Dominions or be within the description of persons disqualified by any Act of the Legislative Council and Assembly of the Province assented to by His Majesty His Heirs and Successors."[7]

Such therefore is the manner in which the Assembly is to be composed according to this Act and these being the only disqualification it follows that any Candidate who has been naturalized by any Act of the British Parliament (and consequently a Jew naturalized by the State 13th Geo. II. Cap. 7) or who is a natural born Subject (which the Son of a Jew naturalized must be if born in the Province) who is not a Member of the Legislative Council nor a minister of the Church of England, nor a Minister Priest Ecclesiastic or Teacher either according to the rites of the Church of Rome or under any other form or profession of religious faith or Worship nor under Twenty one years of age nor attainted for Treason or Felony nor within any description of persons disqualified by an Act of the Provincial Parliament must be eligible to a Seat in the Assembly.

The Committee is further confirmed in this opinion by the 42nd Section of 31. of Geo. III. which enacts "that whenever any Act or Acts containing any provisions "which shall in any manner relate to or affect the enjoyment or exercise of any religious form or mode of Worship or shall impose or create any Penalties Burthens Disabilities or Disqualifications in respect of the same" "every such Act or Acts shall previous to any declaration or signification of the King's Assent thereto be laid before both Houses of Parliament of Great Britain."[8] The irresistible infer-

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[7] See Shortt and Doughty, *supra*, p. 695.

[8] *Ibid.*, p. 698.

ence from this Section being that a disqualification to sit in the House of Assembly on account of any religious Tenets cannot be created without an Act of the Legislative Council and Assembly of the Province assented to by His Majesty with the concurrence of the Houses of Lords and Commons of the United Kingdom.

The Committee is of opinion that the Protection of His Majesty's Government is equally due from Your Excellency to all His Majesty's Subjects and that Your Excellency is bound as far as possible to prevent the House of Assembly from assuming a Power beyond what is allowed to them by the Constitution.

The Committee is also of opinion that the expulsion of any Member upon any principle of "general" Disqualification not declared by the Act of the 31. Geo. III. Cap. 31,[9] or by some Provincial Statute would be an Assumption of Power beyond what is allowed them by the former Statute—But

The Committee is also of opinion that it will not become the duty of your Excellency immediately to dissolve the Assembly if by vote only they should expell a Jew without assigning any other reason except that he is of the Jewish Religion and that a dissolution if it should finally be adopted for such Cause only ought for the present to be suspended.

The Committee is of this opinion for the following among other reasons because in such case the House would act Judicially so that admitting them to be wrong they must be presumed to act from an error in Judgment and not corruptly unless the contrary is most manifest. It seems therefore to the Committee advisable before any steps whatever are taken that the error of their Proceedings should in point of Law be established by the opinions of the highest legal authority to which recourse can be had in England and be notified to the house by a Message recommending an Act disqualifying Jews or in some other shape if their Proceedings should by such opinions be proved ultimately to be erroneous a Wilful instance of a similar Expulsion after such Steps on the part of the Executive Government might under Circumstances make it the duty of the Governor to dissolve the House.

The Committee also find that Mr. Ezekiel Hart was by the last House of Assembly expelled "because he professed the Jewish Religion" and for no other Cause so that the present House has the Sanction of a precedent expressly in point.

The Committee is of opinion that any Member expelled by the

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[9] *Ibid.*, p. 705.

House of Assembly who is not legally disqualified or has not legally forfeited his Seat is entitled to common with all other Subjects who are unjustly aggrieved to the justice and protection of His Majesty's Government so far as that can be extended to him with out prejudice to the interests of the rest of His Majesty's Subjects in general and they do not perceive that such protection can be given by any other step than a dissolution but upon the expediency of an immediate dissolution on account of such expulsion as is the particular object of Your Excellency's present Reference the Committee humbly beg leave to refer to what they have before stated.

All of which is most respectfully submitted to Your Excellency's Wisdom.

By order
(Signed) J; SEWELL: Chairman,

Council-Chamber,
Bishop's Palace,
9th May 1809.

SOME JEWISH ASSOCIATES OF JOHN BROWN.[1]

By Leon Hühner, A. M., LL. B.

Perhaps no period in the history of our country has been the subject of opinions more widely divergent, than the period immediately preceding the Civil War, and more particularly that involving the struggle for Kansas (1854-7). Nor is there a character in the whole range of American history concerning whom more widely opposite views have prevailed than that of John Brown of Osawatomie. On the one hand a group of writers have characterized him and his men as marauders,[2] while on the other hand a no less distinguished group, including Emerson, Thoreau, Hinman and Sanborn, have accorded them a foremost place in American patriotism, calling them the deliverers of Kansas and martyrs to the cause of freedom.[3]

No less extreme are the views concerning the effect of John Brown's career. One group of historians declared that it had practically no effect whatever,[4] another, numbering many

[1] This paper was published in slightly condensed form in *Magazine of History*, Vol. VIII, Nos. 3 and 4, September and October, 1908.

[2] John W. Burgess, "The Middle Period," in American History Series, New York, 1897, pp. 440-441.

[3] See Dr. Leverett W. Spring, "John Brown and the Destruction of Slavery," Mass. Historical Society *Publications*, 2d series, Vol. XIV, p. 2; A. R. Keim, "John Brown in Richardson County," Nebraska State Historical Society, Vol. II, p. 209, quoting also James Redpath; estimates of Ingalls, Theodore Parker, Alcott and others, given in Franklin B. Sanborn's "Life and Letters of John Brown," Boston, 1885.

[4] Burgess, *supra;* James Ford Rhodes, "History of the United States from the Compromise of 1850," New York, 1899, Vol. II, p. 165.

famous names, have called John Brown and his little band

> the first recruits to inaugurate the great struggle which cost nearly a million of lives and billions of money [5]

and the writer in Appleton's *Cyclopædia* goes so far as to state

> that slavery would have triumphed over all legal and legislative skill had not the sword been thrown into the balance even in a small way; that the largest affairs in which Brown took part, Black Jack and Osawatomie for instance, seem trifling amid the vast encounters of the Civil War, but with these petty skirmishes nevertheless began that great conflict.[6]

Amid such extremes it is most difficult to reach a just estimate and I have therefore chosen as a fair guide in the narrative, wherever possible, the excellent work of James Ford Rhodes, whose history of the period is rapidly becoming recognized as a standard.[7]

One thing, however, seems to be conceded even by the most partisan writers, namely that Brown was actuated by a sincere desire to abolish slavery, that his motives were honest and pure, even though the methods he employed are the subject of violent controversy.

It is also noteworthy that despite the mass of literature that has grown up around Brown, his men and the troubles in Kansas, there were never at any time associated with him more than about a score of followers. It is therefore most interesting to find that three of this small group were Jewish pioneers.

In order to understand the career of John Brown and his men, it is absolutely essential to get some idea of the leader himself, and of the condition of things that surrounded him in Kansas.

Brown was a descendant of one of the Puritans who came over in the *Mayflower;* for two generations, at least, the family

[5] H. E. Palmer in Kansas State Historical Society *Transactions*, Vol. VI, p. 317.

[6] "Cyclopædia of American Biography," Vol. I, p. 406.

[7] *Supra.*

had been New England Abolitionists, and the man's whole soul was sworn in enmity to the institution of slavery. Whether sanely or not, he honestly considered himself the instrument of God to strike a blow against the hideous institution, and as Appleton's *Cyclopædia* informs us, on one occasion while he was still living in the East,

> he solemnly called his older sons together and pledged them kneeling in prayer to give their lives to anti-slavery work.[8]

In the words of Mr. Rhodes:

> He was ascetic in habits, inflexible in temper, upright in intention. He was what people called a visionary man.[9]

For many years he had devoted his energies and limited means to what he believed to be his divine mission. Some of his sons had emigrated to Kansas in 1855, and this ultimately induced him to follow, with the avowed purpose of preventing slavery from becoming permanently established in the new territory.[10]

Let us now turn to the conditions existing in Kansas at the time. It will at once become clear that a mind so inflamed against slavery was of necessity forced to play a prominent part in the extraordinary conditions that prevailed.

By the terms of the Missouri Compromise in 1820, Missouri was to be admitted as a slave state, but all the country north of 36° 30′ north latitude was to be free soil. As years went on, however, several territories like California had been admitted as free states, the abolition movement was spreading rapidly through New England and elsewhere, and it soon became evident to the South, not only that the institution of slavery was in danger, but that with the advent of new free states the influence of the slaveholding states and of the entire South in Congress would be considerably diminished. It therefore be-

[8] *Supra*, Vol. I, p. 405.
[9] Rhodes, *supra*, Vol. II, p. 161.
[10] Appleton's *Cyclopædia*, *supra;* Sanborn, *supra.*

came of supreme importance to prevent, if possible, the admission of any more free states into the Union.

Kansas and Nebraska were a portion of the Louisiana Purchase—both were being rapidly settled by immigration from the North and the latter was destined beyond doubt to be a free state. By the terms of the Missouri Compromise, Kansas was likewise free soil. Alarmed by the prospect of two additional free states in Congress, the Southern leaders, Jefferson Davis, Douglas and others, brought about legislation known as the Kansas-Nebraska Act, which nullified the Missouri Compromise and provided that the people of the territories mentioned should determine for themselves whether they would be slave or free.

Kansas had been Indian land, and as soon as it was thrown open to white settlement in 1854 the policy of the South became manifest. She began pouring into Kansas armed bands of ruffians, for the purpose of keeping out northern immigration or at any rate for preventing anti-slavery settlers from taking an active part in the affairs of the territory.[11]

Both North and South realized the importance of the issue in Kansas, which was summed up by a contemporary writer and has been quoted by most of the historians of the period:

> If the South secures Kansas, she will extend slavery into the territory south of the 40th parallel of north latitude, to the Rio Grande, and this of course will secure for her pent-up institution of slavery an ample outlet, and restore her power in Congress. If the North secure Kansas, the power of the South in Congress will be gradually diminished and the slave property will become valueless. All depends on the action of the present moment.[12]

It soon developed, however, that Kansas, though a beautiful and fertile country, did not attract settlers from the South.

[11] Appleton's *Cyclopædia, supra*, p. 404; William Elsey Connelley, "John Brown," in Twentieth Century Classics, Topeka, 1900, p. 37 *et seq.*

[12] Warren Wilkes in the *Charleston Mercury*, quoted in Appleton's *Cyclopædia, supra.*

One reason given for this is that the Southern planter found it more difficult to dispose of his property for purposes of emigration. His institutions, and particularly his slave property, had more or less fixed him to the soil. On the other hand immigration from the North was active from the start. Without the handicap of the Southern men, the farmers from Iowa, Illinois and Indiana came to seek their fortune in the new Western lands, irrespective of the slavery issue. These were reinforced by immigration from New England, much of which was the result of assistance given by the Emigrant Aid Society of Massachusetts, which encouraged free state men to go to Kansas; in addition there was the tide of immigration through Northern ports by sturdy newcomers from European countries, to whom the institution of slavery was entirely foreign. Whatever may be said of the assistance given to all of these, they certainly were *bona fide* settlers, and the pro-slavery element in Kansas was soon in the minority. Notwithstanding this the slave power was determined to make Kansas a slave state at all hazards.[13]

The first election for a territorial legislature had been set for March 30, 1855, and it was naturally apprehended that it would be filled with anti-slavery men.

What followed is best given in the words of Rhodes:

> This election day was also taken note of in Missouri, and before it came, an unkempt, sun-dried, blatant, picturesque mob of 5000 Missourians, with guns upon their shoulders, revolvers stuffing their belts, Bowie knives protruding from their boot-tops and generous rations of whiskey in their wagons, had marched into Kansas to assist in the election of the legislature. The invaders were distributed with military precision and were sent into every district but one. Where the election judges were not pro-slavery men, the mob awed them into submission or drove them away by threats. 6307 votes were counted, of which more than three-quarters were cast by the Missourians.[14]

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[13] Sanborn, *supra*, pp. 161-166, 167-173, where many authorities are collected.

[14] Rhodes, *supra*, Vol. II, p. 81; Howard, *Report*, p. 30; Sanborn, *supra*, p. 190, quoting Horace Greeley.

Dr. Robinson, subsequently Governor of Kansas, wrote to Amos Lawrence:

> The election is awful and will, no doubt, be set aside.[15]

As it was rumored that the territorial governor was indignant and might order a new election, he was openly told that he could have fifteen minutes to decide whether he would give certificates to those who had the most votes, or be shot.[16] Needless to say, the majority of the pro-slavery men were seated.

The indignation of the free states at this perversion of popular government was unbounded, the settlers wrote home to their friends in New England, and to quote Rhodes,

> Evidence like this from well known people was sufficient of itself to mould the sentiment of all rural New England. There could be no dispute about the facts,

and even the territorial governor (Reeder) declared

> that the territory of Kansas in her late election was invaded by a regular organized army, armed to the teeth, who took possession of the ballot boxes and made a legislature to suit the purpose of the pro-slavery party.[17]

Though Reeder was in favor of the South, he admitted

> that the accounts of fierce outrages and wild violences perpetrated, at the election, published in the Northern papers were in no wise exaggerated,[18]

and Edward Everett's comment was:

> It has lately been maintained by the sharp logic of the revolver and the Bowie knife that the people of Missouri are the people of Kansas.[19]

But now came the more serious part of the struggle. This

[15] Rhodes, *supra*, p. 82.

[16] *Ibid.*, Sanborn, *supra*, p. 173; Howard, *supra*, p. 936.

[17] Rhodes, *supra.*

[18] *Ibid.*, p. 83, *New York Times*, May 1, 1855.

[19] Rhodes, *supra*, p. 84; Edward Everett's "Orations," Vol. III, p. 347.

fraudulent territorial legislature drew up a pro-slavery code of laws, which Rhodes says

> **was utterly out of tune with Republican government in the nineteenth century.**[20]

Any free person, who by speaking, writing, or printing, should advise slaves to rebel, should suffer death; to declare orally or in writing that slavery did not legally exist in the territory, incurred imprisonment of not less than two years. All officers, attorneys at law and voters, if challenged, must take an oath to support the Fugitive Slave Law.[21]

Despite all this, it must be remembered that the majority of settlers were against slavery and that it did not exist in fact, for by the census of 1855 there were but 192 slaves out of a total population of 8600. In the words of Rhodes:

> **The men of the North were actual settlers, and the same kind of people that we have seen in our own day leave their homes and emigrate to Southern California and Dakota. Those who went into Kansas from Missouri were, on account of their appearance and actions, called " Border Ruffians."** [22]

A Congressional committee, of which John Sherman was a member, subsequently investigated conditions and its report showed that what has been said was no exaggeration. It reported that the territorial elections were carried by fraud, that the territorial legislature was an illegally constituted body and that its enactments were null and void.[23] But this committee did not make its report until July, 1856, and in the meantime the free settlers quite naturally determined to ignore the laws referred to. The result of this resistance was, that the free state town of Lawrence was repeatedly attacked, while the

[20] Rhodes, *supra*, p. 99.
[21] *Ibid.*
[22] *Ibid.*, p. 101.
[23] *Ibid.*, p. 197; Sanborn, *supra*, pp. 173-178.

administration, with Jefferson Davis as Secretary of War, did little to interfere.[24]

In order to sustain the slavery victory and enforce obedience to the bogus laws, the South appropriated money to assist in the equipment of military companies to overawe the settlers. Thus Colonel Buford of Alabama raised 280 men,

> of whom the majority were ignorant and brutal and made fit companions for the Missouri "Border Ruffians."[25]

Space will not permit me to give any adequate idea of the outrages perpetrated by the armed Southern bands and "Border Ruffians" on all who were, or were supposed to be anti-slavery; murder of free state men became common, while the invaders practically subsisted by plundering free state settlers. It soon became necessary to arm the latter, and Henry Ward Beecher declared

> that the Sharps Rifle was a greater moral agency than the Bible.[26]

In answer to appeals for aid, the President advised the complainants to resort to the courts. How little aid these afforded, however, is most strikingly illustrated by quoting the sage of Concord, Ralph Waldo Emerson, who wrote:

> Of Kansas the President says, "let the complainants go to the courts," though he knows that when the poor, plundered farmer goes to the court, he finds the ringleader who has robbed him, dismounting from his own horse, and unbuckling his knife, to sit as his judge.[27]

It was amid scenes like these, that John Brown came to Kansas in October, 1855, and settled at Osawatomie, where his sons had preceded him. Were anything needed to inflame his hatred of slavery, he found it in the conditions existing there. Assisted by his sons, his name soon became known throughout the territory as a leader to whom the unprotected free state settlers looked.

[24] *Ibid.*, also p. 236; Rhodes, *supra*, pp. 83, 105; Connelley, *supra*.
[25] Rhodes, *supra*, p. 151; Connelley, *supra*, pp. 83, 85.
[26] *Ibid.*, pp. 82, 98, 100, 132; Rhodes, *supra*, p. 153.
[27] Emerson's "Miscellanies," pp. 244-246; Sanborn, *supra*, p. 500.

In the vicinity of Osawatomie were Buford's military horde, a mass of "Border Ruffians" and several brutal pro-slavery settlers, most prominent of whom were the Doyles, Wilkinson and the Sherman brothers.[28] Nearby, too, was a settlement of northern men and free state Germans, known as "Dutch Settlement," which was particularly obnoxious to the slavery element.[29]

Prominent among these free state men were three Jews, Theodore Weiner, a Pole,[30] Jacob Benjamin, a Bohemian, and August Bondi, a native of Vienna.[31] Weiner was about 37 years of age, while the other two were considerably younger.

Bondi was eminently fitted to become an associate of John Brown, and it may be appropriate here to give a short sketch of his career.[32]

His father, Herz Emanuel Bondi, was a native of Prague

[28] Connelley, *supra*, pp. 103, 104; Sanborn, *supra*, pp. 253, 254, 272 *et seq.*

[29] *Ibid.*

[30] According to Mr. Bondi's account, Weiner was a native of Posen, who had come to America at an early age, and had resided for a long time in Texas and Louisiana. The name is frequently given as Wiener.

[31] Connelley, *supra*, p. 142; Sanborn, *supra*, p. 254; Mr. Bondi's *Sketches* hereinafter referred to. The writer has corresponded with Mr. Bondi and has in his possession interesting letters on the entire subject, written in answer to enquiries.

[32] This sketch appears in Kansas State Historical Society *Transactions*, Vol. VIII, p. 275; article in *Salina Herald*, January and February, 1884. After the present paper had been prepared, and shortly before Mr. Bondi's death, the writer received from him a voluminous MS. account of his career, which will hereinafter be referred to as the Bondi MS. From this it appears that, according to a family tradition, the ancestor of the family was one, Jomtov Landschreiber, a Bohemian tax assessor who subsequently travelled in Italy and changed the name Jomtov (Hebrew "good day") to Bondi (Italian "good day"). Later the name was changed to Bondy in Germany. The mother of August Bondi was a sister of Simon, Edler von Lämel.

but had resided for many years in Vienna, where August was born in 1833. The boy received an academic and scientific education, and with that love of freedom that characterized his subsequent career he enlisted in the students' revolutionary movement just preceding 1848. As a youth of fifteen he became a member of the Vienna Academic Legion, a body 9000 strong, consisting of students between the ages of fifteen and twenty-five. This body organized the revolution in the German-Austrian States, assisting Kossuth. Young Bondi became a member of Captain Zach's company, and was among the few survivors at the semi-centennial academic reunion in 1898.

But the youth's revolutionary career was cut short, for in September, 1848, his parents emigrated to the United States, settling in St. Louis.[33] On coming of age, he became actively identified with the Benton or Free State Democratic Party, and in March, 1855, he started for Kansas. In May he settled on the Mosquito branch of the Pottawatomie Creek, in Franklin County.[34]

Both Weiner and Benjamin had resided in St. Louis, and the latter had settled in Kansas at about the same time as Bondi, establishing a trading post.[35] In September, 1855,

[33] The Bondi MS. gives the names of quite a number of Jews settled at St. Louis in 1848. Among others, are the Ruthenbergs, one of whom had a tannery near Edwardsville, Ill., and J. Emanuel, a Russian Jew, who had settled in the United States about 1810. It also contains the names of Jewish merchants at Quincy, Louisville, Lexington and other Western towns at this period. In 1850 Bondi enlisted in an expedition to liberate Cuba. This came to naught, and, after spending part of 1851 in Texas, Bondi returned to St. Louis, where he subsequently was a clerk for Jacob Benjamin, with whom his Kansas career is so intimately associated. (Bondi MS.)

[34] See Kansas Historical Transactions, *supra;* "With John Brown in Kansas," written by August Bondi at the request of Major Henry Inman and published in the *Salina Herald*, *supra;* article in *The Morning Oregonian*, Portland, September 3, 1903.

[35] *Ibid.;* Sanborn, *supra*, pp. 230, 254, 272; Connelley, *supra*, p. 142, and Hinman. They brought some means and provisions with them,

Weiner agreed with Benjamin to go to Kansas to open a store, and Sanborn and other writers inform us that he invested $7000 in goods which he took thither.[35]

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and like other pioneers, experienced all the hardships of life in the wilderness, clearing the ground, building log cabins, enduring privation, etc., all of which are graphically described in the Bondi MS. About June, 1855, two Jews arrived from Europe and at once joined Benjamin and Bondi in Kansas. These were Michael Fox and Arndt Klein. The following quotation from Mr. Bondi's account, may be of interest as giving some idea of the life led by these pioneers, and of their plans:

"About August 1, Benjamin returned from St. Louis. He had brought along a good two-horse wooden-axle wagon, a good yoke of five-year-old oxen, a two-barrel shot-gun, and lots of provisions and tools, and a hired man to assist in putting up a good lot of hay. Including myself we were five men. I continued as cook, Benjamin to keep the breaking plough going and the hired man, Klein and Fox to start and keep at haying, to mow, rake and put up large cocks, and whenever about twenty tons were ready to stack, Benjamin to haul with the team and the big wagon, and so we did. Every man did valiantly perform his share of the work assigned to him. Benjamin wished all preparations for winter made before leaving again, as he intended to return to St. Louis in September.

"After breaking some twenty acres, putting up some seventy-five tons of hay, Benjamin left for St. Louis again to perfect the arrangements for starting a store on his claim. Theodore Weiner and his brother Herman Weiner to furnish most of the funds, and Jacob Benjamin and I to have shares in the venture, my brother-in-law, Emanuel Bondi, to assist me with funds, and Fox and Klein to work for wages. Benjamin would also send out from St. Louis another young man named Ash. The business was to be started with some $5000. Five thousand dollars more to be ready for investment if the venture would prove profitable.

"The business was to be a general merchandise store, and trading in stock, buying and selling should be one of its features. The intention was to found the largest business in that part of the territory." (Bondi MS.)

[35] *Ibid.;* Sanborn, *supra*, pp. 230, 254, 272. Additional details are contained in letters in possession of the present writer and in the *Sketches* of Mr. Bondi, in Kansas Historical Transactions, *supra*. According to the Bondi MS., the place of settlement soon became known as Weinersville.

Before Weiner's arrival, however, both Bondi and Benjamin had an experience which added to the hardships of pioneer life. One of the Shermans, already referred to, had informed Bondi that he had heard that he and Benjamin were free soilers, and therefore would advise them to clear out, or they would meet a dreadful fate.[37] Similar statements were made by another slavery worthy,[38] and Bondi and Benjamin thereupon took counsel what to do. Benjamin stated that he had heard of a small settlement of Ohio men about five miles to the northeast, and both agreed that these ought to be seen. Next morning Benjamin went there and about noon returned with Frederick Brown, who brought word from his three brothers that they would always be ready to assist Bondi and his friend.[39]

These were the sons of John Brown, and the incident happened some time before their father came to Kansas. The younger John Brown had, however, organized a military company, which both Benjamin and Bondi joined.[40]

John Brown arrived in October, 1855.[41] A few days earlier the free state men held an election of their own for a territorial convention. At this time Bondi was ill with fever, but, anxious to participate, two German neighbors placed him in a cart and conveyed him to the voting place, where he met old John Brown for the first time.[42]

We now approach the climax of lawlessness in Kansas. The free state town of Lawrence had been repeatedly attacked by the slavery forces, and an excuse was wanted for another assault. This the "Border Ruffians" soon found, acting

[37] Connelley, *supra*, p. 104; Sanborn, *supra*, p. 254.

[38] *Ibid.*

[39] See Kansas Historical Transactions, *supra;* Sanborn, *supra.*

[40] *Ibid.;* Kansas State Historical Society, *Transactions*, Vol. III, p. 465; letter of John Brown, Jr., in *Publications of Kansas State Historical Society*, 1886, Vol. I, p. 273.

[41] Noble L. Prentiss, "A History of Kansas," 1899; Sanborn, *supra*, p. 200.

[42] Kansas Historical Transactions, Vol. VIII, p. 275 *et seq.*

ostensibly as a marshal's posse. To quote again from Rhodes:

> It was a swearing, whiskey-drinking, ruffianly horde, seven hundred and fifty in number. The irony of fate had made them the upholders of the law, while the industrious, frugal community of Lawrence were the law-breakers. The business of the United States official was soon completed,—but the so-called *posse* entered and destroyed the offices of obnoxious newspapers, the place was plundered, and they finally applied the torch, and sacked the town.[43]

The news spread like wildfire, arousing the entire North, while in the territory itself most of the free state men were at first dismayed. This was the occasion that first brought John Brown into national prominence.

At the news of the proposed attack on Lawrence, a party of free state men under Brown, and several companies under other commanders decided to go to the relief of the town. Sanborn's narrative informs us that Weiner furnished as a gift all the provisions needed by the two rifle companies of sixty-five men when they set out for Lawrence.[44] Bondi, who had returned from St. Louis that very day, promptly joined the Pottawatomie Rifles under the command of H. H. Williams on the same errand.[45]

No sooner had the company started, however, than the pro-slavery men served notice on Weiner's family, and that of Benjamin, to leave the territory or they would hang them and burn the store.[46] Nor did this apply to Weiner alone. Notices were prepared and delivered to free state settlers warning them to leave in three days and threatening them with death.[47] As a matter of fact the families of those who had gone to the

[43] Rhodes, *supra*, pp. 158-159.

[44] Sanborn, *supra*, p. 272; Connelley, *supra*, pp. 108-109.

[45] Kansas Historical Transactions, *supra*.

[46] *Ibid.;* Connelley, *supra*, pp. 108, 138; letter of John T. Grant in Massachusetts Historical Society *Proceedings*, 2d Series, Vol. XIV, p. 5.

[47] Connelley, *supra*, p. 105 *et seq.*

defense of Lawrence, were actually insulted and driven off their property.[48]

Out of revenge for the assistance Weiner had given, the ruffians attacked his place and burned his store with its valuable contents.[49] Several of the writers, however, claim that this was done several days later.[50] As for the Browns, a contemporary writer informs us they were hunted as we hunt wolves to-day.[51]

On their way the defenders learned that Lawrence had been sacked, and it was also reported that no sooner had they left than the settlements of Brown and his neighbors were attacked by the ruffians, and their families driven from their homes.[52]

Bondi gives us the following account:

> At 9 o'clock of the evening, a messenger from Pottawatomie Creek arrived and reported that the pro-slavery men had gone from house to house of free state men, and threatened that shortly the Missourians would be there and make a clean sweep of them, and at many places, where the men were absent, grossly insulted their wives and daughters.[53]

Hearing this, John Brown called for volunteers to return to the Pottawatomie. Seven responded, one of whom was Weiner.[54] According to Townsley, one of the participants, the entire company were driven in a wagon with the exception of Weiner who rode his own gray pony.[55]

None of the party actually knew John Brown's plan on that occasion. All believed they were merely returning to protect

[48] *Ibid.*, p. 142.

[49] Sanborn, *supra*, p. 230; "The Kansas Conflict," by Charles Robinson, late Governor of Kansas, Lawrence, 1898, p. 287.

[50] Connelley, *supra*, p. 108.

[51] *Ibid.*, p. 104.

[52] *Ibid.*, pp. 110-115.

[53] *Ibid.*, p. 142. See also Kansas Historical Transactions, *supra*, p. 279.

[54] Connelley, *supra*, pp. 109-116; Sanborn, *supra*, p. 263.

[55] Connelley, *supra;* Sanborn, *supra.*

their homes, but, during the night of May 24, 1856, the plan developed, and became what is known in Kansas history as the Pottawatomie Massacre, in which the Doyles, Wilkinson and Shermans were killed. It was really a lynching party and has been severely condemned by several writers, though it has been defended by several of the foremost men of Kansas and others as a necessary measure. Among these may be mentioned Governor Robinson,[56] General Shelby,[57] Hon. James F. Legate,[58] Judge Hanway,[59] F. B. Sanborn,[60] and William E. Connelley.[61] The undisputed testimony is, however, that Weiner had no part in the killing, he and Frederick Brown having been assigned to guard duty by their commander.[62]

The result of the massacre was important, for it admittedly had the effect of quieting the territory and intimidating the "Border Ruffians."

It is, of course, impossible to defend this event except on the ground of self-defense. I may, however, mention that in an article in the *North American Review* for 1884, Senator Ingalls quotes with approval the following from Judge Hanway:

> I did not know of a settler in 1856 but what regarded it amongst the most fortunate events in the history of Kansas. It saved the lives of the free state men on the creek, and those who did the act were looked upon as deliverers.[63]

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[56] Robinson, *supra*, p. 267, quoted in Connelley, *supra*, p. 140, and Sanborn, *supra*, p. 269.

[57] Connelley, *supra*, pp. 142-146.

[58] *Ibid.*, p. 143.

[59] *Ibid.*, pp. 145-146.

[60] Sanborn, *supra*, who collects many authorities, pp. 248, 280, 281.

[61] Connelley, *supra*, pp. 120-121, 137, 140.

[62] See S. J. Shively's "Address on The Pottawatomie Massacre," in Kansas Historical Transactions, *supra*, pp. 177, 181; Robinson, *supra*, pp. 265-267.

[63] Connelley, *supra*, pp. 120-121, 137, 154-156, giving the opinions of many prominent men to the same effect; Sanborn, *supra*, p. 281.

On the other hand this event has been written about with most unsparing severity by men like Prof. Burgess and Mr. Rhodes.[64]

We now come to the most important part of Brown's career in Kansas, known as the Battle of Black Jack, a "battle" in which both Weiner and Bondi participated.[65]

Returning from Pottawatomie, Brown went to the cabin of his son John and found it solitary and deserted, the family having been driven away. The following night he went to the cabin of his son Jason, which was in a similar condition.[66] Here he was joined by Bondi, whose account of intermediate events is as follows:

> Late in the evening of May 25, I arrived at my claim in company with an old neighbor, Austin. The family of Benjamin (whom we had left when we departed for camp) had disappeared, and no cattle were to be seen. This latter was a serious matter for there was nothing left in the shape of provisions. When I told Austin that I was willing to stay with him until the last of the "Border Ruffians" had left the country, he encouraged me and assured me that he would find Benjamin's family and protect them at all events. This the old man faithfully did. In memory of his friendship and self-sacrifice, I have placed a simple slab on his soldier's grave near Helena on the Mississippi. The next evening, May 26, I arrived, tired and hungry, at the camping ground of John Brown, a log cabin on the banks of Middle Creek. This is one of the houses which under the name of "John Brown's Cabin" has since become famous. Here also I found my friend Weiner.[67]

From the narrative of John Brown, Jr., it appears that Benjamin had been taken to Baptisteville, now called Paola, with some of Brown's followers.[68]

[64] Burgess, *supra*, p. 441; Rhodes, *supra*, pp. 164-165.

[65] Sanborn, *supra*, p. 297.

[66] Sanborn, *supra*, p. 271; Connelley, *supra*, p. 157.

[67] *Ibid.*

[68] Sanborn, *supra*, p. 276. It seems that prior to this, Benjamin had organized a military company also, for in the Secretary's Report of the Kansas State Historical Society for 1881, there is

Brown and his associates now resolved to go to the assistance of any free state family or community, and Connelley, his biographer, informs us that the whole party were but poorly armed, the leader with a sword and a heavy revolver, Weiner with a double-barreled gun, and Bondi with an old-fashioned flintlock musket, while others in the party were similarly equipped.[69]

The occasion for action soon presented itself. The settlers at Prairie City were threatened, and sent a messenger to search out Captain Brown, and request him to come to their protection.

The aggressor in this case was Captain Pate, a Virginian who was at the head of a company of ruffians known as Shannon's Sharp Shooters. They had been at the sacking of Lawrence, and after that are said to have burned the house and store of Weiner. Pate had then set out to capture Brown, and the robberies by these men of the free state settlers are said to have caused the latter to seek John Brown's protection.[70]

On May 27, Brown and his party reached a secluded spot on Ottawa Creek, which the messenger from Prairie City indicated as a safe place for camping, and here they remained till June 1.[71]

Of this camp we have a most interesting description from the gifted pen of James Redpath, then a Kansas correspondent of the *New York Tribune*. He was looking for an old preacher who lived near here and who was to carry his New York letter for mailing to Kansas City, when he accidentally stumbled upon John Brown's camp. His description is too long to give

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mentioned among the MS. collections a "Muster Roll of Captain Jacob Benjamin's Pottawatomie Rifles, Pottawatomie Creek, 1855"; see Kansas Historical Transactions, *supra*, Vol. I, p. 96.

[69] Connelley, *supra*, pp. 157-159; Sanborn, *supra*, p. 293.

[70] Connelley, *supra*, pp. 159, 160, 161; Sanborn, *supra*.

[71] Sanborn, *supra*, and p. 294.

in full, but I venture to quote what impressed him most, and does credit to the little band.

> In this camp, no manner of profane language was permitted, no man of immoral character was allowed to stay except as a prisoner of war. It was at this time that the old man said to me, "I would rather have the small-pox, yellow fever and cholera all together in my camp, than a man without principles." "It's a mistake, sir," he continued, "that our people make, when they think that bullies are the best fighters.—Give me men of good principles, God-fearing men, men who respect themselves,—and with a dozen of them I will oppose any hundred of such men as these Buford ruffians." I remained in the camp about an hour. Never before had I met such a band of men. They are not earnest, but earnestness incarnate.[72]

Bondi, who was present, has also given an account of the camp, and mentions Redpath's visit, stating that the latter encouraged them until

> they felt as if they were the extreme outpost of the free North in Kansas.[73]

At this time Brown suggested that if they had to leave Kansas on account of the cowardice or indifference of their friends, they might go to Louisiana and head an uprising of the slaves there, but Bondi advised against such a course.[74]

On the night of May 31, 1856, Pate camped on the prairie near the ravines, which formed a small stream called Black Jack, from the abundance of a scrub of that name which grew about it. He then went to Palmyra, which town he attacked and plundered, committing several outrages. A wagon was loaded with spoil, and then the company proceeded to go to Prairie City for pillage. The free state forces were, all told, thirty men, nineteen under Captain Shore and nine under Brown, Weiner and Bondi being among the latter. An en-

[72] *Ibid.*, pp. 294-296; Kansas Historical Transactions, *supra.*

[73] *Ibid.;* Sanborn, *supra.*

[74] Kansas Historical Transactions, *supra*, p. 283; Sanborn, *supra*, p. 296.

counter known as the Battle of Black Jack ensued, which lasted three hours, and is vividly described by several Kansas historians.[75] Pate was finally compelled to surrender; the free state men captured a large quantity of arms and ammunition, took twenty-six prisoners, and recovered much property that had been stolen from the settlers, including some of the plunder taken from Lawrence, and four wagons loaded with provisions.[76]

In his report of the battle, made to a committee at Lawrence, John Brown gives a list of those who took part in the engagement, mentioning the two Jews referred to.[77]

Several years ago, Mr. Bondi wrote a letter concerning Black Jack, which is in the possession of the American Jewish Historical Society, and may not be without interest, showing incidentally the attachment of the followers to their leader. He wrote as follows:

> When we followed Captain Brown up the hill towards the "Border Ruffians'" Camp, I next to Brown and in advance of Weiner, we walked with bent backs, nearly crawled, that the tall dead grass of the year before might somewhat hide us from the "Border Ruffian" marksmen, yet the bullets kept on whistling. Weiner was 37 and weighed 250 lbs. I, 22 and lithe. Weiner puffed like a steamboat, hurrying behind me. I called out to him, "Nu, was meinen Sie jetzt?" (Well, what do you think of it now?) His answer, "Was soll ich meinen? (What should I think of it?) 'Sof odom muves" (Hebrew for "the end of man is death," or, in modern phraseology, "I guess we're up against it").
>
> In spite of the whistling of the bullets, I laughed when he said, "Machen wir den alten Mann sonst broges." (Look out, or we'll

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[75] Connelley, *supra*, pp. 162-165; Sanborn, *supra*, pp. 297-305; *The Morning Oregonian, supra;* Emerson in his "Diary" for March, 1857, mentions the Battle of Black Jack with evident satisfaction. The present writer possesses autograph letters from Mr. Bondi, giving details concerning the engagement.

[76] Kansas Historical Transactions, Vol. VIII, *supra;* Sanborn, *supra*, pp. 293, 294, 297-308; Connelley, *supra*, pp. 162-166.

[77] Sanborn, *supra*, pp. 290, 302.

make the old man angry.) We started and came up with Captain Brown, and we finished the job as related in the enclosed report." [78]

In a letter written by Brown to his friend Edward B. Whitman in August, 1856, he gives

Names of sufferers and persons who have made sacrifices in endeavoring to maintain and advance the Free State Cause in Kansas within my personal knowledge.

He mentions nine groups, the first of which is:

Two German refugees (thoroughly Free State) robbed at Pottawatomie, named Benjamin and Bondy (or Bundy) one has served under me as a volunteer; namely Bondy, Benjamin was a prisoner for some time. Suffered by men under Coffee & Pate.[79]

Shortly after the Battle of Black Jack and in August, 1856, Brown organized a military company known as the Kansas Regulars. Those who enlisted subscribed to the following covenant:

We, whose names are found on these and the next following pages, do hereby enlist ourselves to serve in the Free State Cause under John Brown as Commander, during the full period of time affixed to our names respectively, and we severally pledge our word and our sacred honor to said Commander and to each other that during the time for which we have enlisted we will faithfully and punctually perform our duty—as a regular volunteer force for the maintenance of the rights and liberties of the Free State citizens of Kansas.

Then follow the usual military rules which the volunteers agree to obey.[80]

Thirty-five names are given with dates of enlistment, among them

August 24, J. Benjamin, August 25, August Bondie.[81]

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[78] See account, substantially identical with above, in *The Morning Oregonian, supra*, which also contains the pictures of Solomon Brown and August Bondi. The writer possesses a similar letter from Mr. Bondi.

[79] Sanborn, *supra*, p. 241.

[80] *Ibid.*, pp. 287-290; Connelley, *supra*, p. 179.

[81] Sanborn, *supra*, p. 288; Richard J. Hinton, "John Brown and His Men," New York, 1894, p. 40. "To the camp came August Bondi, European engineer and soldier."

There is also extant a book in Brown's handwriting giving a list of twenty-seven names:

Volunteers in the fight of Black Jack or Palmyra, June 2, '56.

Among these also are Theodore Weiner and August Bondy.[82]

On August 30, 1856, occurred Brown's most famous engagement, known as the Battle of Osawatomie. Some 400 pro-slavery men attacked the town, and one of Brown's sons was killed. When he heard of the attack he hurried with about thirty men to its defense. Between forty and fifty of the assailants were wounded and thirty-one killed, but despite all, the defense was unvailing, for Osawatomie was burnt.[83] In 1877 a tablet was erected on the spot as a tribute to Brown and his men.[84] Both Bondi and Benjamin were in his company at the time, and took part in the engagement.[85]

Shortly afterward Brown left Kansas, returning, however, in 1858 under the assumed name of Shubal Morgan. He organized a military company and waged war against slavery in the southeastern border of Kansas. The list of this company contains fifteen names, among them that of Theodore Weiner.[86]

Weiner's subsequent career was not remarkably eventful; he served in the army for a time during the Civil War and died in 1906. His remains are interred in the Jewish cemetery at St. Louis.[87]

Benjamin also served as a soldier in the 11th Kansas for three years, during the Civil War, and died in 1866.[88] Bondi continued an ardent supporter of the anti-slavery cause, and in

[82] *Sanborn, supra,* p. 290.

[83] *Ibid.,* pp. 314-323.

[84] *Ibid.*

[85] *Ibid.,* Kansas Historical Transactions, *supra.* and original letter from Mr. Bondi; "Recollections of John Brown," in Springfield, Mass., *Republican,* and account in *Salina Journal,* December, 1883, and January, 1884.

[86] Sanborn, *supra,* p. 474; Hinton, *supra,* p. 643.

[87] Original letters from Mr. Bondi to the present writer.

[88] *Ibid.*

1857 stumped Anderson County for the Topeka Constitution which was promulgated by the Free State Party. He participated in the fights at Bayne's Ford and Little Osage, and when the Civil War broke out, was among the first to enlist, being first sergeant of Company K, 5th Kansas Cavalry in 1861.[89] He participated in every engagement of his regiment, remaining in active service for over three years.[90] In August, 1865, he removed to Leavenworth, and in the following July to Saline County, which became his permanent home. He held various offices, Land Office Clerk, Postmaster, member of the School Board, and for many years was a director of the State Board of Charities and of the Kansas State Historical Society. In 1860 he married Miss Henrietta Einstein at Leavenworth, and in his narrative describes himself as a consistent Jew.[91]

Some years ago he presented to the Kansas State Historical Society a flintlock musket given to him by John Brown in 1856, which was saved from the ashes of Bondi's cabin, burnt while he was with the Union Army during the Civil War.[92] Mr. Bondi died at St. Louis, Missouri, September 30, 1907, and was buried at Salina, Kansas.[93]

The career of Brown and his men, according to Rhodes and Burgess, accomplished practically nothing; according to Emerson and others it accomplished marvels. Even were we to subscribe to the former estimate, it is still an important element in American history. It may be likened to some intense pain in one of the limbs of the human frame, which

[89] *Ibid.;* Kansas Historical Transactions, *supra*, p. 275.

[90] *Ibid.*

[91] *Ibid.;* original letters from Mr. Bondi to the present writer; Bondi MS.; Springfield (Mass.) *Republican* and *Salina Journal*, *supra;* Kansas Historical Transactions, *supra*, Vol. VI, pp. 25, 431.

[92] Kansas Historical Transactions, *supra*, Vol. III, p. 134. In January, 1886, in a letter to the Committee of the Quarter-Centennial, John Brown, Jr., mentions Bondi as one of his father's company. *Ibid.*, p. 465.

[93] Kansas Society, *supra*, Vol. X, p. 141.

though effecting no cure, yet draws constant attention to the fact that there is something seriously wrong, which the surgeon's knife may have to reach in order to save the entire body. Certain it is, that the activity of Brown and his men in Kansas attracted the attention of every part of the Union to the state of things existing there, never for a moment permitting the country to forget that slavery was the cause of it all, and that in order to save the Union, the surgery of the sword might be essential.

Whichever view we take, we cannot deny that John Brown was absolutely honest and that his handful of men were enthusiasts like himself. He seemed to instil into them his own spirit, and Bondi's account of the night before Black Jack, when they were all faint and hungry, may serve to illustrate the wonderful magnetism of the man:

> We were united as a band of brothers by the love and affection towards the man who, with tender words and wise counsel, in the depths of the wilderness of Ottawa Creek, prepared a handful of young men for the work of laying the foundation of a free commonwealth. He constantly preached anti-slavery. He expressed himself to us that we should never allow ourselves to be tempted by any consideration, to acknowledge laws and institutions to exist as of right, if our conscience and reason condemned them.

Some of the remarks quoted are full of loftiest sentiments.[91]

In conclusion it may not be inappropriate to give here Brown's own opinion of the men who stood by his side in Kansas. I will quote from Thoreau, that famous New Englander, who speaks of Brown in Kansas as follows:

> He was like the best of those who stood at Concord Bridge once, on Lexington Common and on Bunker Hill, only he was firmer and higher-principled than any I have chanced to hear of there. Ethan Allen and Stark, with whom he may in some respects be compared, were rangers in a lower order and less important field. They could bravely face their country's foes, but he had the

[91] Sketch in Kansas Historical Transactions, *supra*, Vol. VIII, p. 283.

courage to face his country herself when she was in the wrong. He was never able to find more than a score or so of recruits whom he would accept, and only about a dozen in whom he had perfect faith. When he was here, he showed me a little MS. book—his orderly book, I think he called it—containing the names of his company in Kansas, and the rules by which they bound themselves, and he stated that several of them had already sealed the contract with their blood. When someone remarked that with the addition of a chaplain, it would have been a perfect Cromwellian troop, he observed, that he would have been glad to add a chaplain to the list, if he could have found one who could fill the office worthily. I believe that he had prayers in his camp morning and evening nevertheless.[95]

Independently of what our views concerning John Brown may be, this paper may serve to emphasize the fact that the Jew is no exception in the history of our country. The numerous papers in the *Publications of the American Jewish Historical Society* have shown that the Jew may be found as a pioneer in the history of almost all of the thirteen original colonies; that in proportion to his numbers he took his share in the Revolutionary struggle, and in every crisis through which our country has passed. Here again in the stormy days in Kansas, we find Jews standing shoulder to shoulder with fellow-citizens of other denominations, fighting for the cause they believed to be right. On the slavery issue the Jews, like their Christian fellows were by no means united; the Jew of the North gave his life for the flag, while many a Southern Jew was buried in his coat of gray.

[95] "Diary 1857-8"; Sanburn, *supra*, p. 503.

EARLY JEWISH RESIDENTS IN MASSACHUSETTS.

By Lee M. Friedman, A. B., LL. B.

In his able paper presented at the annual meeting of 1910, Rev. Dr. D. de Sola Pool called attention to a letter written in 1684 by Increase Mather to Joseph Dudley, in which Mather asserted that

I knew not that there was any Jew in Boston the last winter.[1]

From this Dr. Pool drew the conclusion that Jews were not settled in Boston at so early a date as 1684. On the other hand, we venture to say that almost from the beginning of its history there was hardly a time when the Jews were not living in Boston. Very curiously, the history of the Jews in Massachusetts begins with dates earlier even than those of New York or any of the other colonies.

Within eighteen years of the founding of Boston, in 1648, Isaac Abrahams appeared before the well-known Boston Notary Aspinwall to have him witness a Bill of Sale of his vessel *The Bride of Enchusen* which was sold to Robert Scott and John Cooke.[2] In the following year, 1649, one Solomon Franco came over with a cargo consigned to Major-General Edward Gibbons, as agent of Immanuel Perada. The venture proved unsuccessful and Solomon Franco threatened to settle in Boston for want of means to leave. In their anxiety to rid themselves of a Jew, the government after calm deliberation voted to

alow the said Solomon Franco six shillings p weeke out of the treasury for tenn weekes for his substinance till he cann gett his passage into Holland, so as he doe it with that time.[3]

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[1] *Publications of the American Jewish Historical Society*, No. 20, pp. 57, 58; Mass Hist. Soc., "Collections," series iv, vol. viii, p. 102.

[2] Aspinwall's Notarial Records. Report of Record Commissioners, Boston, vol. xxxii, p. 172.

[3] "Records of Massachusetts" (Shurtleff), vol. ii, p. 273; vol. iii, pp. 159, 160; Felt's "Ecclesiastical History," vol. ii, p. 11.

In the first Boston Tax List, 1674, appears the name of Rowland Gideon "ye Jew" rated at 18 s.[4] He was one of the Jews to whom letters of denization had been granted by the British Government in 1679 giving him permission to reside in the English colonies.[5] In 1675, he appeared in association with one Barruch in a law suit before the court in Boston.[6] August 4, 1677, Robert Levy was apprehended in Boston and whipped for attending a Quaker meeting.[7] In the "list of inhabitants in Boston 1695" there are the names of two Jews, Raephaell Abandana and Samuel the Jew.[8]

Attention has already been called in the *Publications* of this Society to Simon, the Jew, who was baptised by Mr. Bradstreet, at Charlestown in 1702, and assumed the name of Barns[9] and to Frazier or Frazon who refused to hear more of Christianity after he discovered the forgery by which Cotton Mather sought to convert him.[10] There seem to have been two Frazons in Boston at this time—Joseph and Samuel[11]—who were merchants of considerable activity.

[4] Report Record Commissioners, vol. i, p. 29.

[5] *Publications*, No. 20, p. 112.

[6] Records of the Court of Assistants, vol. i, p. 49; Supreme Judicial Court, Suffolk Files, No. 1401. In answering the reasons of appeal, Gideon naively ends his pleading "and as to his *supplement* to enforce my books, they are ready as well for this as the last Court although new evidence is as needless as unusual for the practice of this Court where God commands our Fathers that the same law should be for the Stranger and Sojourners as for the Israelite. I am thus committing my case to the Honorable Court and Gentlemen of the Jure praying for the prosperity of your Government and that you may be further fathers of this scatered nation, and so remain Yer Honble. Humble Servant, Rowland Gidyon."

[7] Drake's "History of Boston," p. 429.

[8] Report Record Commissioners, vol. i, pp. 158, 164.

[9] No. 11, p. 79.

[10] No. 20, p. 55.

[11] Supreme Judicial Court, Suffolk Files, No. 5162, No. 5604, No. 4822, No. 6210, No. 4541.

In 1705-6, the New York merchant, Luis Gomez, was engaged before the Courts in Boston in litigation against John Adams.[12]

In March, 1715, Barshaba Hart, a widow, came to Boston from Surinam on the ship *Neptune* and in the following July married William Foster of "Gt. Brittaine."[13] In June, 1716, Isaac Lopez and Abraham Gotatus described as merchants landed in Boston from the ship *Restoration* from London.[14] Lopez quickly attained a position of some importance amongst the merchants of Boston. In 1720, at the annual town meeting, he was elected one of the constables.[15] He declined office and paid a fine to be excused from service. In 1722 he was granted liberty to erect a timber building on land he had purchased from John Stanford near the Wind Mill.[16] He had considerable connections in London through his brother Gabriel Lopez and also in New York. It has been stated that later he moved to New York from Boston.[17] In 1728, Samuel Brasilla acted in his absence from Boston as his trustee and agent.[18]

Judah Monis, instructor in Hebrew at Harvard College, was made the subject of a separate paper before this Society[19] so we pass his interesting career with the mere mention of his name.

[12] *Ibid.*, No. 6813, No. 7065, No. 6692.

[13] Report Record Commissioners, vol. xxix, p. 234; *ibid.*, vol. xxviii, p. 94, July 18, 1715, where she is described as "of Rhode Island now residing in Boston."

[14] *Supra.*

[15] *Ibid.*, vol. iii, pp. 151-2.

[16] *Ibid.*, vol. xiv, p. 108.

[17] Suffolk Registry of Deeds, Book 43, p. 314.

[18] Supreme Judicial Court, Suffolk Files, No. 23374, No. 15548. In this latter citation appears the name of Isaac De Medina described as "now resident in Boston, merchant." August 8, 1721, the sheriff being unable to find him, made a return of "non est inventus."

[19] No. 22, p. 1 *et seq.*

The name of Michael Asher is first met with in 1716, when he appeared as a witness to a deed.[20] He lived in the South End on Newberry Street, now a portion of Washington Street [21] and was engaged in operating a snuff mill. He was associated with Isaac Solomon.[22] February 22, 1733, Michael Asher and Isaac Solomon purchased from Joseph Bradford a plot of land that is now Chambers Street (15 and 17). Here they erected a shop and set apart a part of the lot as a burying ground for "the Jewish Nation." [23] In 1735, Isaac Solomon and his wife Elizabeth [24] sold out all their interest in this land to Asher. Asher appeared to have fallen upon evil days and lost this property the following year.[25] This burying ground of the

[20] December 18, 1716, he witnessed a deed of John Wakefield; September, 1719, he was a witness in transactions between Hubbard and Henshard, merchants of Boston. In 1729 he acted under a power of attorney for Isaac Lopez.

[21] See Suffolk Registry of Deeds, Book 59, p. 51.

[22] Isaac Solomon, May 7, 1731, appears as a witness to a deed (*ibid.*, Book 46, p. 45) and resided in Boston as late as June 2, 1742, as per deed (*ibid.*, Book 63, p. 127) where James Bowdoin for £430 conveyed to John Fairweather, Esq., the house and land in "Cold Lane," a section of the present Portland Street, "now in possession of Isaac Solomon." Isaac Solomon, September 8, 1735, wrote a letter to Mordecai Gomez of New York concerning his relations with Mr. (Michael) Asher and promised other writings after "the holydays." He said, "I have had my art many years ago in making snuff." Mr. Michael Asher, June 15, 1735, wrote to Mordecai Gomez and sent it by the hand of Moses Gomez, a son. Again, under date of October 27, 1735, that "he will continue to take 1500 weight of snuff a year at 25s 6 d per pound." Under date of September 19, 1735, Isaac Solomon wrote in a business letter, "I wish you and your family a Happy New Year." Isaac Solomon appears as a "merchant" in Boston as late as January, 1742. Supreme Judicial Court, Suffolk Files, No. 37859, No. 40461, No. 40409, No. 40681, No. 54868.

[23] Suffolk Registry of Deeds, Book 52, p. 33.

[24] *Publications*, No. 11, p. 81.

[25] Suffolk Registry of Deeds, Book 54, pp. 43, 44.

Jewish nation was known to be in existence as late as 1750 [26] but all traces of it after that date is lost.[27]

In early New England, the right of inhabitancy in a town was a privilege only to be obtained by consent of the authorities. It included the right of support by the town if the inhabitant became unable to care for himself. At first, it was not the practice to admit persons as inhabitants unless the town was able to allot land to the new comer. Later, it became the practice to admit settlers provided they were able to acquire land from others.[28] Thus, the right to sojourn in any town was a privilege jealously guarded and all undesirable strangers were promptly "warned out,"—commanded to depart, or permitted to remain temporarily only upon furnishing heavy bonds that they would not become public charges. In 1680, John Foster goes £40 security that Joseph Bueno would not become chargeable on the town of Boston.[29] April 24, 1756, Philip Samuel, a Jew from New York, was warned by the Selectmen of Boston to depart the town,[30] and having paid no attention to this, the following September the process was repeated.[31] David Campenell, "a Jew from Rhode Island,"

[26] In April 1750, Stephen Deblois conveyed this property to David Symonds, "a potter." "Excepting only about ten foot square of said land lying at the upper corner thereof, bounding South East on land of Hugh Hall, Esq., and Mr. Ellis." See *ibid.*

[27] In 1762, David Symonds, "the potter," conveyed the property to Samuel Parkman. The property was in the possession of the Parkman family until about 1800, when heirs conveyed it to William Eaton but no mention is made in any of the conveyances that there was a semblance of a burying ground at its southwestern corner. See *ibid.*

[28] J. H. Benton, "Warning Out in New England," Boston, 1911.

[29] Report Record Commissioners, vol. x, p. 66, April 29, 1680. The bond is signed Joseph Bueno, Jun[r]. Possibly this is the Joseph Bueno who later lived in New York and died there in 1708. See *infra*, p. 149.

[30] Report Record Commissioners, *ibid.*, p. 154.

[31] *Ibid.*, p. 153.

was warned out of Boston, June 15, 1726.[32] Similarly in 1762, Isaac Moses, the well-known Revolutionary patriot and later a leading member of the New York Chamber of Commerce was warned to leave Boston within fourteen days or give security.[33] This was the same Isaac Moses upon whom was drawn the bill of exchange to pay for the cargo of corn that came from Virginia to John Hancock and Samuel Adams to relieve the suffering caused by the siege of Boston.[34]

In 1737, Solomon Isaacs appeared before the Selectmen of Boston and procured the release of the sloop *Sarah* from Philadelphia from quarantine.[35] He was for years a resident in Boston and was a brother of Joshua Isaacs, the merchant, who named him in his will as executor in 1744.[36]

Aaron Lopez, the great Newport merchant, carried on a considerable trade with Boston. He had a resident agent there for many years in the person of Henry Lloyd. There was almost a daily exchange of letters between them, and many of his young Jewish clerks were sent from Newport to Mr. Lloyd in Boston. In one of the manuscript letters, which I have seen, Lopez speaks of sending Joseph De Lucena to Boston. It was no uncommon thing to find young Jews tempo-

[32] *Ibid.*, p. 154.

[33] At a meeting of the Selectmen, May 18, 1762, they were informed that one Isaac Moses, a Jew, had lately come into this town and lived at the house of Palatine Troop in Fog Lane. *Ibid.*, vol. xix, p. 195. Warrant to Abijiah Adams, June 1, 1762, to warn Isaac Moses to depart this town in fourteen days or give security. Officer's return June 21, "Isaac Moses, single man, came from New York by land, been in town three months." Supreme Judicial Court, Suffolk Files, No. 83000.

[34] Mass. Hist. Soc., "Collections," *supra*, vol. iv, pp. 84, 190, 191.

[35] Report Record Commissioners, vol. xv, p. 49.

[36] See *infra*, p. 152. He also was witness to a deed of Joshua Henshaw to John Solomon of Roxbury in 1742, Suffolk Registry of Deeds, Book 63, p. 234. This may suggest that John Solomon may have been a Jew. The Solomon family in Roxbury is known as an old New England family.

rarily in Boston attending to business for their employers. Thus in 1735, Isaac Levy of Philadelphia and Abraham Judah of Newport, were residing in Boston.[37]

In 1766, Moses Alvares and Jacob Mindis, merchants from Jamaica, landed in Boston [38] but there is no evidence of their remaining there for any time.

After the capture of Newport by the British in 1777, some of the most prominent Jewish patriots with their families fled to Leicester, Mass., where they resided for some six years. Washburn says that there were some seventy in all, mostly of the Lopez, Rivera and Mendez families.[39] Aaron Lopez lived in great state in a large mansion he erected which was later the Leicester Academy. He was known far and wide for his hospitality and the magnificence of his entertainments. Evidently he was often in Boston during this period and a considerable factor in trade.[40] He died in 1782 leaving an estate

[37] Isaac Levy, formerly of Philadelphia, had a brother Nathan Levy, lately residing in Philadelphia, now residing in Boston (August 13, 1739), who wrote to Judah Israel of Philadelphia although perhaps he was absent at the time from Philadelphia. Judah Israel, Newport, R. I., wrote under date of December 8, 1738, to Joseph Sherburn in Boston. He also wrote December 14, 1738, to Abraham Judah. Supreme Judicial Court, Suffolk Files, No. 52157, No. 52618.

[38] Report Record Commissioners, vol. xxix, p. 281.

[39] Washburn, " History of Leicester," pp. 120-124.

[40] Worcester 22nd Decemr 1781

Sir. I was induced to call at your house in Lester last Tuesday, in consequence of advice from Mr Whitney who improves your Interist in Newport that you wanted to sell the same (perhaps you may have seen him since & he has spoke to you on the subject) I have since performd a tour to the N°ward, and now on my return at this place, & hear you have not yet returnd from Boston: I left my name & place of Abode with your son— If you incline to sell that Interist, & will take a Farm of One hundred acres, with good Building & under the best improvement, in the center of the town of Plainfield, or new lands in different parts of America, or Continental Certificates of an early date, or Bonds for money lent

of considerable size but much involved.[41] The other members of this community remained in Massachusetts only temporarily and, after the peace of 1783, they returned to Newport without leaving any particular influence on the community in the midst of which they had been living.

By 1790, the list of inhabitants of Boston shows several Jews. Besides the well-known Moses Michael Hays [42] and his son Judah Hays,[43] there are the names of Abraham Solis,[44] Isaac Solomon,[45] and Mrs. Cohon,[46] Moses Abraham Wallach [47]

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before the War & the best security in towns almost Adjoining to Lester: you may write me word. & the price of the Interist understood & appoint the time & place where I shall see you, or should be glad to see you at my House in Plainfield in Connecticutt Excuse my hast, fatigue & the most barbarous paper, pen & Ink, from S^r^

your most humb^l^ Serv^t^
JOHN CADY

M^r^ A Lopez

[41] Worcester County Probate Records.

[42] Report Record Commissioners Boston, vol. xxii, p. 445.

[43] *Ibid.*, p. 68.

[44] *Ibid.*, p. 469; *Publications*, No. 11, p. 85 *et seq.*

[45] Report Record Commissioners, *supra*, p. 479.

[46] *Ibid.*, p. 461.

[47] *Ibid.*, p. 495. Wallach died in 1836 leaving a wife Mary, and ten children surviving, Richard, Robert, Olivia, Mary, Frances, Catherine Emons, Charlotte Templeman, Harriet, Eleanor and William. He married a Christian and evidently cut himself off from the Jewish community. At a meeting of the Selectmen, December 11, 1816, "The chairman reported that he had lately received a letter by the way of London from M. L. D. Levinson of Königsberg, in Prussia, making inquiries concerning M. Moses Abraham Wallach. In consequence of this letter, he had handed Mr. Wallach a duplicate of the same and that R. G. Amory, Esq., counsel to Mr. Wallach had prepared a certificate that Moses Abraham Wallach was a citizen, resident in this town, that he had married a woman of respectable family in Boston and had a number of children. This certificate and a duplicate thereof had been signed by the Chairman." *Ibid.*, vol. xxxviii, p. 207; Suffolk Probate Records, vol. mcccxlii, p. 27.

and Bristol Mirranda.[48] There also appear to be several names of persons who although not unlikely Jews have not yet been positively identified. Thus there are William Abrahams,[49] Ralph Abrahams,[50] Ezek Decoster,[51] Mrs. Abrahams [52] and Mrs. Decoster.[53]

So much has already been written in the *Publications* of this Society [54] about Moses Michael Hays that his useful career as a beloved citizen of Boston is now familiar to the public. He well merited the following eulogy printed in the newspapers at the time of his decease.

On Thursday evening [May 9, 1805], M. M. Hays, Esq., aged 64.—In the character of the deceased, there is much worthy of our admiration—much of our imitation. In his death, society will mourn the loss of a most valuable citizen, his family the kindest of husbands, the most indulgent of fathers. But what consolation shall we offer to assuage the violence of their grief? Why, this is all—the recollection of his virtues; and that as he lived, so he died; that to the last moment the cheerfulness and benevolence of his whole life, wasted not on his failing brow.[55]

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[48] Report Record Commissioners, vol. xxii, p. 502.

[49] *Ibid.*, p. 446; vol. xxxviii, p. 242. In the Directory of 1796 W. Abrams appears as a "Tayler, Hanover Street."

[50] Report Record Commissioners, *supra*, pp. 216, 449. In the Directory of 1796 Ralph Abrahams appears as "Retailer Middle Street."

[51] *Ibid.*, pp. 48, 450.

[52] *Ibid.*, p. 459.

[53] *Ibid.*, p. 179.

[54] *Publications*, No. 12, p. 104 *et seq.*; No. 11, p. 83.

[55] *Independent Chronicle*, Boston, May 13, 1805. May 5, 1789—Hays had been elected an honorary member of the Boston Marine Society, an organization of the merchant mariners of Boston, maintaining light houses, buoys and experimenting in lamps. "Records Boston Marine Society." He became also a member in 1800 of the Massachusetts Charitable Fire Society.

David Lopez, a brother of Aaron Lopez and Abraham Lopez, died in Boston in 1797 [56] where he had been living for some years. He left an estate of upwards of £1300 which he distributed amongst his nephews and nieces.[57]

No paper on the Jews of Massachusetts would be complete without the mention of the Franks and Touro families. Both Prof. Jastrow and Mr. Hühner have already written of the military career of Colonel Isaac Franks [58] who served as ensign in the Seventh Massachusetts Regiment in 1781.

The Touro family history in Massachusetts belongs to the nineteenth century rather than to the earlier colonial times. Judah and Abraham Touro, nephews of Moses Michael Hays, were both educated in Boston. Judah Touro [59] early transferred the field of his activity to New Orleans in 1803, there to become an interesting and important figure in that community. Abraham Touro died in the prime of life in Boston, a much respected merchant.[60]

APPENDIX "A."

In the name of God, Amen, I, David Lopez of Boston in the County of Suffolk, and Commonwealth of Massachusetts, being sick and weak in body, but of sound mind, memory and understanding, Praised be God for it, and considering the certainty of death and the uncertainty of the time thereof, and to the end I

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[56] "In this town on Sunday, the 19th ult., [December 19, 1797] David Lopez, Esq. His remains were respectfully entombed at Newport, R. I., the residence of his more immediate friends. While we mingle the tears of sympathy and affection in those of his friends and acquaintances, his social virtues will forever embalm his memory." *Independent Chronicle*, December 28, 1797; January 1, 1798.

[57] See Appendix "A."

[58] *Publications* No. 5, p. 7; No. 10, pp. 168-170.

[59] *Publications*, No. 3, pp. 98, 99; No. 13, p. 93 *et seq.;* see *Evening Transcript*, Boston, February 1, 1854.

[60] See Appendix "B."

may be better prepared to leave this world, whenever it shall please God to call me hence, do therefore make and declare this my last will and testament, hereby revoking and making void all former wills by me at any time heretofore made; and first and principally I give my soul into the hands of my Creator, who gave it, and my body to the earth, to be interred at the discretion of my Executors hereinafter named, and as to such worldly estate, wherewith it hath pleased God to entrust me, I dispose of the same as followeth;—

Imprimis, I order all my debts and funeral charges to be paid by my Executors hereinafter named as soon as may be after my decease; I give and bequeath unto Esther Gomez, wife of Moses Mordecai Gomez, Rebecca Hendricks, wife of Uriah Hendricks, Hannah Rivera, wife of Abraham Rodrigues Rivera, Abigail Gomez, wife of Isaac Moses Gomez, Merriam Lopez, Deborah Lopez, Judith Lopez, Grace Lopez, Joshua Lopez, Samuel Lopez, my beloved nephews and nieces, all Children of my late beloved brother Aaron Lopez, One Hundred Dollars each, for their own use and disposal. I also give and bequeath unto Moses Lopez and Jacob Lopez, two other of my beloved nephews, Children of my brother Abraham Lopez, One Hundred Dollars each. I also give and bequeath unto Sarah Deming, widow, for her faithful attention and kind services to me during my sickness, One Hundred Dollars, over and above all her charges for my board and living. I also bequeath unto Bethia Bass, widow, fifty dollars. I also give and bequeath unto Rebecca Isaacs wife of Jacob Isaacs of Newport in the state of Rhode Island, One Hundred Dollars. I also give and bequeath unto Grace Levi widow of the late Hyman Levi, also of Newport, One Hundred Dollars. All which Legacies aforementioned, I do order my Executors herein after named to pay to the several legatees aforesaid within three months after my decease. I do also give and bequeath unto my friend Moses Michael Hays, Esquire, my Silver hilted sword, in token of my respect for him. I also give and bequeath unto Sarah Lopez, widow of my late beloved brother Aaron Lopez, my silver sugar pot and pepper box. And lastly as to the residue and remainder of my estate, goods, and chattels, of what kind and nature so ever, I give and bequeath the same unto my beloved Nephew, Joseph Lopez, son of my late brother Aaron Lopez. And I do hereby appoint my worthy friend Moses Michael Hays, Esquire, and my Nephew Joseph Lopez aforementioned to be the joint Executors of this my last will and testament. In testimony whereof I have

hereunto set my hand and seal this eighth day of December in the year of the Christian Era, One thousand seven hundred and ninety seven.

DAVID LOPEZ. (Seal)

Signed Sealed, published and declared by the above named David Lopez to be his last will and testament, in presence of us, who have hereunto subscribed our names, as witnesses in the presence of the testator and each other.

Charles Paine,
Abraham Touro,
Faith Butler.

Suffolk County Probate Office, vol. xcvi, p. 2. Moses Michael Hays declined to serve as an executor, and the trust was placed upon Joseph Lopez, Newport, merchant, with Moses Michael Hays and Joseph May as sureties for five thousand dollars.

APPENDIX "B."

Died on Friday afternoon [October 18, 1822] Abraham Touro, Esq., merchant, aged about 46. While viewing the military parade on the 3rd., inst., in a chaise, his horses were frightened by the fire of the artillery and became unmanageable, and Mr. Touro leaping from the chaise, fractured his leg so severely that notwithstanding the best surgical assistance, a mortification ensued, which terminated his life. We learn that among other legacies, he has bequeathed $10,000 to the General Hospital and $15,000 to the Synagogue in Newport, at which place his body will be interred.

Independent Chronicle and Boston Patriot, October 23, 1822.

REPORT OF THE FOREIGN ARCHIVES COMMITTEE.

Prepared by Albert M. Friedenberg, *Chairman.*

At a meeting of the executive council, held in the autumn of 1913, the desirability and feasibility of dealing with the different volumes of the series of "Guides" to the material of American historical interest preserved in foreign archives, published and to appear in the future through the Department of Historical Research of the Carnegie Institution of Washington, were considered from the point of view of the investigator in and the student of American Jewish history. At the subsequent meeting of the executive council, on February 23, 1914, it was voted to appoint a committee of three to deal with the subject, and the sum of two hundred and fifty ($250) dollars to cover the necessary expenses of such committee was appropriated. The president thereupon named as such committee Messrs. Albert M. Friedenberg, chairman, Alexander Marx and Leon Hühner.

It remains to be added that theretofore the corresponding secretary of the Society had, with the approval of the president, made a careful examination of the "Guides" thus far published and extracted therefrom a list of items of Jewish interest for the use of the committee. Since then I have continued this task. The lists in question naturally formed the basis upon which the committee has proceeded in its work.

The most important and by far the greatest number of the items relating to American Jewish history are drawn from the volumes dealing with the English archives. Some of this material, notably that with respect to the naturalization of Jews in the American colonies under the Act of George II, has already been utilized by our workers, and incorporated in several of the papers appearing in our *Publications.* It was

to have been anticipated, however, that much inedited material still reposes in these archives, since the colonies of the ante-Revolutionary era and the Jews who resided in them, as well, bore a more or less direct and an intimate relation to Great Britain. For this reason, too, the items of Jewish interest bulk so large.

In a letter from Prof. Charles M. Andrews, of Yale University, the author or a co-author of several of the published "Guides," which he wrote to me under date of March 18, 1914, it is stated:

> . . . . As I remember the general nature of such documents as related to Jewish history, the contributory value was not very great, though I have some hesitation in making even this comment. There are hundreds of returns of one kind or another that may contain more than I know, but to find out what and where they are will be no slight task. For example, you cite the Barbadoes Shipping Returns or Naval Office Lists—there are great numbers of such lists for all the colonies, and as they usually give the name of owner and master it may be that much might be gleaned from them.

The committee has not done more up to this time, in the case of the English archives, than to sketch the details of the work which remains to be systematically prosecuted. For one reason, because the committee deemed it prudent not to involve either itself or the Society in an elaborate scheme of operations, entailing the expenditure of more considerable funds than are at our command. Furthermore, the existing European War has served to deter us from embarking on that preliminary investigation into and more or less careful examination of the Jewish material in the archives—not only of England but also of all the other Continental countries thus far reported on—which are an essential prerequisite to the farther development of the matter. Finally, and on this head, the committee deems it appropriate to describe briefly the nature and extent of certain documents contained in the English archives, for the purpose of eliciting a discussion,

and, if possible, a resolution of direction in the future work of this committee thereon, in the Society itself.

In that portion of Andrews' "Guide to the Materials for American History, to 1783, in the Public Record Office of Great Britain," which covers the departmental and miscellaneous papers (vol. ii, p. 127 *et seq.*, 1914), we are furnished with a detailed description of the Custom House papers and, more particularly, of the Port Books in the Public Record Office, London, contained under the rubric, "Exchequer K. R. Port Books."

There are extant 1464 bundles of these Port Books, running in date from roughly 1275 to 1789. They begin to bulk large from Elizabeth's day, although quite a number of them are earlier. Each bundle contains from about eight to twelve books and, in the whole collection, there are to-day some thirty thousand parchment books of varying sizes. Originally there had been fifty thousand books; some were destroyed by fire a century ago and others disappeared through the carelessness or ignorant neglect of the earlier keepers of the records. Some of these papers had extraordinary adventures, particularly, by a curious stroke of fate, in the hands of booksellers in the city of New York. The Port Books, by the testimony of Prof. Andrews, are not easy to handle or use, whilst the form of the entries contained in them is such as to require a certain experience on the part of the one who attempts to read or make use of them. In his "Guide" Prof. Andrews presents examples of two or three of these entries, and, curiously or one may say characteristically enough, a Jewish item appears among them, viz.:

London, 1696. In the Speedwell Jam. Moulton per Nevis Isaac Gomes als ½ lb wrot brass 18 doz plane Leather Gloves 4 l wrot silk, 1 haberdashery 1 wrot iron One piece English lace att 12l 18s d.

It will be at once apparent that we have in these documents an important, and, for our purposes hitherto unknown, source

of information on the subject of the participation of the Jews in the American colonial commerce. The Port Books took their origin in the altogether natural desire of the English government officials to prevent frauds on the customs. The revenue officers were empowered to employ writs of assistance in order to procure the necessary details for the entries to be made in these books, if and when the merchants themselves did not do so voluntarily. The books were issued yearly to all customers, *i. e.,* to the merchants making entries at the different ports, in tin boxes under the seal of the exchequer, and were returned regularly to the office of the King's Remembrancer. They were thus made up from the notes of the merchants themselves or the daily ledger entries of the local officials.

The classification of the books, covering the details of the foreign and colonial trade, is, as follows:

(a) customer's entries;
(b) comptroller's entries;
(c) searcher's entries;
(d) surveyor's entries;
(e) waiter's entries.

Of the foregoing (d) and (e) are, apparently, only for the Port of London. We have the following particulars as to each entry in the Port Books, viz.:

1. the date by year and month;
2. the name of the ship, occasionally her tonnage or burthen, and the names of the master and shippers;
3. her destination, if outward bound; the place of shipment, if inward bound;
4. the amount, kind and value of the goods carried;
5. the amount of customs revenue paid, etc.

It will be observed, then, that the expert examination and use of this material should be of prime value to our researches, affording as it does tolerably full data as to the growth of the English export and import trade, the development of com-

panies of merchant adventurers and ports, the history of colonial settlement and expansion, and the genealogy of merchants, making possible a unique statistical analysis of English trade and the outlines of the story of Jewish participation therein.

In part 2, p. 45 *et seq.*, of vol. i, of the "First Report of the Royal Commission on Public Records appointed to inquire into and report on the state of the public records and local records of a public nature of England and Wales" (Cd. 6395: London, 1912) will be found interesting particulars of the Port Books, on which, it should be added, the present remarks are in a measure based. This commission, and especially Mr. Hubert Hall of H. M. Public Record Office, its secretary, were the first to discover the value of the Port Books and to make this fact known to the body of students of history. Prof. N. S. B. Gras, of Clark University, who contributed a paper, "Some New Manuscript Sources for the Study of Modern Commerce," to the *Annual Report of the American Historical Association for 1912,* before this commission is reported to have investigated some four hundred of the Port Books, for his work on the early English grain trade. In a letter, dated October 22, 1914, he writes to me, as follows:

> It is my impression that the records in question, the English Port Books, would prove of great value in American Jewish history. Nothing short of careful search and transcription of extracts by someone on the grounds, would, however, be of much use. I have had about 800 photographs of the earlier series, 1275-1565, made for my particular purposes and I intend to publish these in a volume soon. I have nothing, however, of any value in your field.

Prof. Andrews, again writing me, under date of October 5, 1914, says:

> I can hardly doubt but that the Port Books would be of material value to you in giving the names of Jewish merchants and masters engaged in colonial trade. I did not examine altogether more than fifteen or twenty bundles containing perhaps a hundred or a

hundred and fifty books. I have an impression that I ran across Jewish names but I made no note of such. You will need to know that items of colonial interest are not over common and to use the books one will have to exercise much patience. . . . .

I may say that as a rule, the departmental books do not mention the names of individuals engaged in trade. Such names were not of interest to those whose business it was to make up statistical returns. In most cases the best results will be obtained from such records as registers, naval office lists, sixpenny books, passes, and the libel files in the High Court of Admiralty, whence actual names can be obtained. My own feeling is that unless one comes across Jewish names of those engaged in commerce, more or less as an accidental happening in connection with other searches, he will have much discouragement before he will find such through any particular search. I do not recall meeting with any great number of such names.

It must be noted, however, that Prof. Gras and not Prof. Andrews, made a careful and exact examination of a fairly large number of these Port Books. In this connection, also, it may be apposite to point out the excellent use that may be made of the Port Books in a special investigation. Mr. Worthington Chauncey Ford, of the Massachusetts Historical Society (*Proceedings,* vol. xlvii, p. 178 *et seq.*), furnishes an example of their employment in the case of his investigation of the details of the mercantile career of Governor John Winthrop of Massachusetts.

I am of the opinion that these Port Books warrant and demand a patient, special and detailed examination from the point of view of this Society and its interests. Because of the vast amount of this extant material and of the difficulties, heretofore indicated, attending its thorough investigation, the funds at the committee's disposal are quite inadequate for the execution of such an intention. A special fund ought to be created to this end.

In the case of the American Loyalist papers in the English archives, which Prof. Andrews describes in the second volume of his "Guide . . . . to 1783 . . . . " (p. 262), and which

may be found in the Audit Office, London, records under the rubric, "A. O. Claims. Amer. Loyalists, 109," we have the advantage of possessing a complete and faithful transcript thereof in the New York Public Library. The documents cover the years 1784 to 1789 and comprise reports and statements affecting the Tories of the Revolution. They are preserved in the special room for American history at Bryant Park, and may be called for by the title, "III. Transcripts of the MSS. Books and Papers of the Commission of Enquiry, etc." There are in this collection, in all, sixty volumes of folio size, and I have carefully gone through volume xi thereof, commissioners' reports, etc., which furnishes a useful and convenient index to the whole work.

My examination disclosed the presence of exactly two Jews of undoubted identity as such in this Index of Loyalists, and I supply herewith the details of the entries affecting them, viz.:

No. of Cert.	Name of Claimant	Province	Claim for Loss of Property	Sum originally allowed
223	Franks David	Pennsyl	£1125	125
281	Hart Moses	R. Isl^{d}	2000	1081

Total sum payable under Act of Parl^{t}	Sum already received	Ballance after such rec^{t}	Deduct a/c of Pension	Final Ballance
125	37.10	87.10	..	87.10
1081	324.6	756.14	7	749.14

In these records there are scores of other names of persons who bear what may be called, for better or worse, Jewish names, but they are very often found on a painstaking enquiry not to be names of Jews. I have rigorously excluded such from my notes. I have not done this for the purpose of emphasizing or giving point to the special plea that the Jews of America during the Revolutionary War were almost to a man

adherents of the patriot cause, although this was the indubitable fact, proved by the statements of contemporary observers and of other historical sources referred to here and there in our *Publications,* but for the reason that the United Empire Loyalists, as they have come to be known, whose affairs form the staple of these documents, settled in Canada and, more particularly, in Nova Scotia and New Brunswick, the Maritime Provinces of the present Dominion, after the conclusion of the Treaty of Peace of 1783 between the United States and Great Britain.

The Maritime Provinces of Canada received practically no Jewish immigrants before the anti-Jewish excesses in the Empire of the Czars in the preceding century compelled the Russian Jew to become a wanderer up and down the rest of the habitable earth. Mr. M. J. Wessel, the headworker of the Henry Meinhard Memorial, a Jewish settlement-house in New York, with whom I was in correspondence, spent a portion of his vacation in the summer of 1914 in this section in the endeavor to discover the facts of Canadian Jewish history on the spot. He reported to me, in substance, as follows:

Digby, N. S., has a population of 2000 souls, and only two families of Jews ever resided there. One of these moved away some time ago, whilst the other came to Digby in 1888. One section in the business district of the town is known as "Jew's Cove" or "Jew Cove," because, curiously enough several Irish merchants trafficking there upwards of thirty years ago had charged exorbitant prices for their commodities! In Halifax and Sydney, N. S., there are Jewish communities embracing respectively forty families, but none of these possesses what may be called a history. St. John, N. B., has a Jewish community of 260 persons, not of an ancient stock however, as is apparent from the fact that H. Green, president of a local congregation, came to St. John in 1861 as a boy, his parents fearing the result of the American Civil War on their fortunes, and that his marriage to a Miss Hart was the first Jewish union celebrated in the Maritime Provinces.

Therefore, it is fairly deducible from our knowledge of the history and conditions of the Jews in Canada that the two names of Jewish Tories, given heretofore, comprise practically all the Jews mentioned in the American Loyalist papers. Hence these documents may be adduced as an additional and tolerably positive proof that the Jews of America during our Revolution were, quite uniformly, holders of the patriot fortunes.

The items of Jewish interest found in the "Guide" of Prof. Marion D. Learned, of the University of Pennsylvania, to the German archives embrace several noteworthy matters. For one thing, they supply us with new sources of information and offer us hitherto undisclosed evidences of the activity of the Jews in various channels of public and quasi-public affairs. The identification of Jews in these records is facilitated by reason of the fact that the official writers, whose monuments are preserved in the papers of these archives, nearly always refer in characteristic German fashion to the Jews by the word or words of religious and racial definition. "Jude" or "der Jude" is the qualifying designation almost never absent from the German official pieces relating to the Jews, dating from the eighteenth and from practically the entire first half of the nineteenth century. Thus, at Marburg, in the archives of the mediatized landgravate of Hessen-Cassel, may be found a mass of material relating to the operations of one Philipp Marc, a sutler or commissary of the third English-Waldeck regiment of mercenaries, or Hessians, in our Revolutionary War. His brother, Jacob Marc, was the court-factor of the landgrave, and we have in these archives long and circumstantial accounts of the supplies furnished the electoral house and its troops of mercenaries by one, the other or both of these Jewish brothers. This material is of considerable intrinsic interest and, besides, of added value from the fact that it supplies the student of American Jewish history with new names and new occupations of German Jews in those days, and

thus equips him with the necessary details to be used by him in filling in the picture of a philosophy of American Jewish history.

The German archives, moreover, afford interesting additional information regarding the life and the career of that Jew who is so well-known to our investigators as Jacob Philadelphia, and concerning whom extended references may be found in the *Publications* of this Society. The archives, too, are important, and it may be said untapped, mines of knowledge on the genesis and the development of the immigration of German, especially Bavarian, Jews to the United States in the nineteenth century. This material is splendidly administered and is, or at least was up to the commencement of the European War of 1914, readily accessible. I happen to know that a *Privatgelehrter* of Munich, David Wassermann by name, has undertaken and, perhaps, completed by this time rather detailed studies in this archival material from the point of view of Jewish history, but regrettably cannot give any account of their general nature and serviceableness for our enquiry because of my inability to get into satisfactory communication with him. Our fellow-member, Mr. August Kohn, of Columbia, S. C., has in letters to the English-Jewish press of this country (see, for example, *The American Israelite,* May 1, 1913) referred to the value and importance of Herr Wassermann's work, but, in a written statement to me, dated May 16, 1913, he declares that at that time he could do nothing about it. I ought to add that Max J. Kohler, Esq., has knowledge of Herr Wassermann's activity in this line of archival research, for, I recall that, in the summer of 1912, he showed me a letter which either described or bore directly upon it. One further word: in attempting to utilize this almost superabundant Bavarian material the student must be fully informed as to the *locale* of the Jewish settlements in that kingdom. The Jews, *e. g.,* lived in villages like Dinkelsbühl and Feuchtwangen, but they did not reside to an appreciable extent in Pförring.

An item from the archives of the Grand Duchy of Baden, judging from the rather alluring reference to it in Prof. Learned's "Guide," seemed to possess great interest. Prof. Learned gave the following particulars of it (p. 234):

6735. Matter relating to the scarcity of grain and bread and a contract with a certain Jew for 10,000 Centners for the troops, with the remark, that the emigration "in die sogenannte Landschaft Pennsylvaniam" has contributed much to this state of things.

I had it copied through the courtesy of the director, *Geheimer Archivrat* Prof. Dr. K. Obser, in Karlsruhe, and deem it appropriate, because of its early date and general interest, to give it here *in extenso* for suitable preservation in our records.

Abschrift. *Grossh. Generallandesarchiv Karlsruhe*
Akten Pfalz Generalia Nr. 6735.

Praesentibus
Herren Geheimen Raths und
Regierungs Praesidenten Excellenz
Freiherren von Hillesheimb
Freiherren von Heuel

HEYDELBERG den 22ten. May 1709.

Herren Geheimen Rath und Vicekanzler von Mezger
von Scherer
Becker
Lüls
Otto.

Nachdeme der, in denen Chur Pfältzischen sowohl als negstanliegenden Landten je länger je mehr anwachsende Frucht- und Brodtmangel zu dem Auszug der Chur Pfältzischen Underthanen in die sogenante Landtschafft Pensylvaniam und andere nicht wenig contribuiret; Vundt als man dahero bedacht gewesen, wie diessem übel wenigstens in etwas gesteivret und das Landt von Underthanen nicht gar eröstiget werden möge; So ist

Von allhiesigem Kriegs Commissariat zuevernehmen vorkommen, wie dass ohnlängsthien von Ihme Kriegs Commissariat mit einem sicheren Judten, zue Behueff der Churpfälzischen Trouppen auf 10000 Centnern Mehl ein Accordt getroffen worden seye, und weyllen dasselbe einer so grossen Quantitet in Anseh-

ung fast alle Regimenter nacher Brabandt, und anderstwo würklich abmarchiret, dermahlen nicht benöthiget; So hielte man von Regierungs wegen, dafür, dass bemelter Judt zue ad implirung des mit Ihme getroffenen Contracts und fordersamer Anschaffung, des Mehls an zuehalten, und so dan von solcher Quantitet Mehl denen Armen Nothleidenden Underthanen, zu ihrer Rettung sowohl, als auch zue evitirung ferenerer emigration eins weyllen mit einigen Tausendt Centnern oder so viel das Kriegs-Commissariat für jezo entbehren kan, aus zuehelfen were, vund zwar dergestalt dass Sie die Underthanen ermeltem Kriegs Commissariat den von Ihme gethanen Vorschuss nach der Erndte hien widerumb in natura und eadem qualitate et quantitate zue ersezen schultig seyn sollen, welches Ihrer Chur-Fürstlichen Durchlaucht underthänigst zue hinterbringen und deroselben dabey gehorsambst anheim zuegeben wäre, ob Sie es also gnädigst zue aggrëyren mithien mehr gedachtem Kriegs Commissariat disfals die Nothdurfft zue soulagierung der Underthanen bey gegenwertiger Brodtklemer Zeit anzuebefehlen gnädigst geruehen wollen.

Freyh. C: W. v. Hillesheim mpria
Freyhe. von Heuel mpria

Mezger
Scherer
F R Becker
A Lüls
Otto.

Comment is not required; the document speaks for itself and its Jewish interest, it must be confessed, is somewhat microscopic. The incident serves to show how much of discriminating care is required in any enterprise such as ours and how impracticable a long-distance searching of the archives is likely to be! The enquiry must needs be conducted in the interest of the objects of the Society by trained investigators on the spot in the archives of the various countries we wish to examine.

A more or less superficial examination of the contents of the Italian archives was made possible through the careful study of the "Guide" thereto of Prof. Carl R. Fish, of the

University of Wisconsin. On p. 217 of Prof. Fish's book I came upon a reference to a letter of Christopher Columbus, addressed to Gabriel Sanchez, reposing in the *Biblioteca Vallicelliana* in Rome, belonging to the priests of the Oratory of St. Philip Neri. As noted it bore the date May 3, 1495. Dr. Cyrus Adler, the president of the Society, through the courtesy of the Hon. Thomas Nelson Page, American Ambassador to the Court of King Victor Emmanuel III, secured a copy of the letter in photographic facsimile. On this, our fellow-member, Dr. Abraham A. Neuman, Instructor in History in the Dropsie College, has made a report, indicating that the "5" should read "3."

The Department of Historical Research of the Carnegie Institution of Washington has been advised of the error to the end that the necessary correction may be made in fresh printings of Prof. Fish's valuable work.

The committee asks to be continued, that the balance of the appropriation with which it has been provided be suffered to remain at its disposal, and solicits the favorable dispositions of the members of the Society to the end that a sum sufficiently large for the ambitious undertaking it proposes to initiate may be at its command.[1]

[1] See *The Hebrew Standard*, March 5, 1915; *The Jewish Voice*, March 12 and 19, 1915; *The Jewish Ledger, ibid.; Jewish Comment*, March 19, 1915, p. 307; March 26, 1915, pp. 316, 319; *The Reform Advocate*, October 23 and 30, 1915.

DR. ABRAHAM BETTMANN, A PIONEER PHYSICIAN OF CINCINNATI.

By Gotthard Deutsch, Ph. D.

For fifteen years after the Congress of Vienna the diplomats of Europe had indulged in the hope, which diplomats particularly seem to fondle, that by their efforts in 1815 they had succeeded in re-establishing the peace of Europe. The Bourbons had again been placed on the throne of France, and Napoleon was safely exiled to St. Helena. It therefore came as a serious shock when on the 27th of July 1830 the population of Paris indulged in their traditional pleasure, a revolution, overthrew the *Roy* and, what was far more serious, succeeded in inducing a member of the royal family to accept the crown from the hands of rebels, and to yield to their condition that he should be the king of the Frenchmen, and not of France, and take the " Tricolor " as his standard. Only the Rhine divided southern Germany from the German population under French rule on the left bank of the river. The spirit of revolution was bound to spread, and the nearest governments felt the responsibility of forestalling the progress of the revolutionary epidemic that might infect their own beloved subjects. The south German states, especially the grand duchy of Baden and the kingdom of Bavaria, began to deal seriously with the question, what concessions should be made in order to prevent a violent outbreak of popular dissension, and the " states," an imitation parliament, were busy discussing them. A part of the problem was the treatment of the Jews. They still were helots under various denominations as *Schutzjuden, israelitische Schutzverwandte* and similar euphemisms. The main point was that they were restricted

in civic rights, especially in the most important one of freedom of residence, and almost totally deprived of political rights. This condition could no more last than slavery could exist in the United States. A change was bound to take place, but historic conditions die hard. The best excuse for denying to Jews the rights of human beings was to declare that their religious ideas were so out of harmony with the enlightened ideas of the nineteenth century, that it was impossible to give them equality with their Christian neighbors. Both in Baden and in Bavaria, the demand was made that the Jews remove first the obstacle keeping them from the enjoyment of full citizenship by adapting their religion to the demands of modern times. Amongst these obstacles, supposed to stand in the way of their occupation, were mentioned circumcision, dietary laws, the Sabbath, the dogmatic views of the Talmud and especially the belief in a future return to Palestine. These controversies filled a period of eighteen years from the July Revolution of 1830 to the February Revolution of 1848.

The Jews lost faith in the possibility of a change for the better, and in very great numbers began to emigrate to the United States, where they knew they would find full civic and political equality, without any question as to their interpretation of the Messianic idea, or without—this is an actual case—being asked, how a Jew, if elected mayor of a village, and as such being chief of police, would act when a criminal was to be arrested and he had to sign a warrant on a Saturday. Among those pioneers of our Jewish congregations that were established in constantly growing numbers after 1840, was Dr. Abraham Bettmann of Welbhausen, in Middle Frankonia, Bavaria. In the Midrash (*Talmud Pesahim,* 87b; *Yalkut to Judges* v, 11, No. 50; *Tanna debe Eliyahu,* ed. Friedmann, ch. x, p. 54) somebody asks a rabbi how he could defend the action of King David (i. Kings xi, 16), who killed all the male members of the tribe of Edom. The rabbi is asked whether he could, in spite of all the complaints that the Jews make,

show any instance in which they had been treated in such a barbarous fashion. The rabbi answers: "Our God took care of us; you surely would have treated us worse than that, but Providence fortunately arranged it so that you are divided into many kingdoms, and it is always possible for us to escape, when we are threatened with extermination in one place." This providential blessing was especially noticeable in Middle and Lower Frankonia. Bavaria had expelled the Jews, but in that section of Germany there were so many small territories, enjoying the privilege of sovereignty, that the Jews could find a refuge in the numerous villages under the jurisdiction of some of those petty princelings. Among these were quite a number of ecclesiastic dignitaries, such as the Teutonic knights in Öttingen, and Welbhausen was one of these village communities. As late as 1843 it still had a Jewish community with a rabbi at its head. It was then that David Einhorn was a candidate for this position.[1] The numerous village congregations in this part of Germany, undoubtedly derived their origin from the various free cities in that section, such as Nuremberg, Rothenburg-an-der-Tauber, Schweinfurt, and others, which, following the general policy of the so-called imperial cities, in the fifteenth century had expelled their Jewish inhabitants.

The French Revolution, and the occupation by the French of a considerable portion of Germany together with the establishment of such French vassal states as the kingdom of Westphalia and the grand duchy of Frankfort, induced many sovereigns of Germany to imitate the example of France, at least to some degree, and to improve the condition of the Jews. One of the earliest instances was that of Baden, which adopted such measures in the *Constitutions-Edikt* of 1806. Somewhat later came Prussia with the so-called *Stein-Hardenberg-Edikt*

[1] "The Jewish Encyclopedia," vol. v, p. 78, gives the name incorrectly as Wellhausen. The latest yearbook, issued by the Union of German Jewish Congregations, mentions Welbhausen as belonging to the rabbinate of Ansbach, and as having only two Jews.

of March 11, 1812. The latter, issued by a government which was always known as reactionary, is remarkable. It gave to the Jews at least every right of residence and occupation. Bavaria was less liberal in her constitution. The edict of June 10, 1813 retained almost all the principles of mediævalism. The most cruel of all was section 13, which briefly stated that it was the intention of the lawgiver that the number of Jews be diminished rather than increased. The *Schutzjuden* principle was given up only in name. All Jews then living in Bavaria had to register, obtaining what was called a *matrikel,* and in future anyone, who wished to marry and obtain a *matrikel,* would have to prove that he was following a respectable trade or profession. The occupations, peddling and dealing in cattle, followed by most Jews in those times, were declared disreputable. In addition, the community where such a Jew, having proved his respectability, wished to settle, had a right to oppose the newcomer as unwelcome. In the light of these explanations the documents appended (I. and II.) with their pathetic reminder of days past, of which some witnesses still survive, must be understood.

Abraham Bettmann was born January 26, 1806, in the village of Welbhausen. Like all promising Jewish boys of that period, he received a Hebrew education and was at an early age instructed in Talmud. Unfortunately, at the time when I met him, he was so advanced in years that his memory was not quite as clear as I would like to have had it. He told me, however, that he was sent to the *Yeshibah* of Eleazer Ottensoser at Höchberg. Ottensoser, born in Weimarschmieden near Mellrichstadt, Bavaria, September 24, 1798, died at Höchberg, September 12, 1876, was, with his younger contemporary, Seligmann Baer Bamberger, one of the last expounders of the traditions which had centered around Fürth for two centuries. He established a *Yeshibah* in that little place, which, owing to the change of educational ideas, developed into a training school for ministers of village com-

munities. When Abraham Bettmann attended it, the institution was still performing the functions of a Jewish high school. He had advanced so far that he could solve a problem in *leiene,* a technical term for reading a passage in Talmud, without help. Having thus graduated from what would be considered a high school, he was sent to the college of Würzburg, where Rabbi Abraham Bing (1752-1841), a native of Frankfort-on-the-Main and a disciple of the famous Talmudist Phineas Horowitz, presided over a *Yeshibah.* There was already considerable modernism in those days and Rabbi Bing had a hard time to preserve the old traditions. Bettmann, however, was not affected by any change of times, but by a natural cause. He had suffered a hemorrhage, and the physician told him that he must not think of entering the rabbinate or any profession which would entail a strain on his lungs. Like many others he showed by his actual life the uncertainty of medical prognostication, for he lived to the age of ninety-five. Being distantly related to the Baron de Hirsch family, whose ancestor, " Moshe " Hirsch, the great-grandfather of the illustrious philanthropist, Bettmann knew as a plain but well-to-do cattle dealer of Memmelsdorf, he was helped to begin his secular studies. Of his preparatory course at a *gymnasium* nothing is known. The oldest documents that have been preserved show him as a student at the University of Munich, where he was registered May 3, 1833. Three years later he was already appointed as an assistant, very likely a volunteer, to a district physician in Munich, whom he helped in vaccination, then recently introduced. In 1837, already thirty-one years old, he was solemnly graduated as Doctor of Medicine, and in that old-fashioned way which still prevails in some German universities, he had to defend a number of theses in the auditorium of the university. This custom in mediæval times, as we know from the case of Luther, was an adaptation of the challenges issued by knights, and thus a most remarkable, although undoubtedly exact, parallel to the Talmudic

expressions which speak of the rabbis as "armored men" and of their discussions as "the battle of the Torah." In Bettmann's days this was a mere formality. No matter whether the candidate could prove his thesis or not, the "very noble and very learned man and master" as was set forth in the printed invitation received his degree on the 5th of May, 1837, at 10 A. M.

It was not so easy for a physician to obtain an opportunity to practice his profession. The institutional system that prevailed in those days, and especially in reactionary states like Bavaria, considered it a supreme duty to protect those who possessed something. In this case Jews and non-Jews were treated alike, at least by the law. Abraham Bettmann, consequently, was glad to accept a position in the Hirsch family, accompanying Frau Pappenheim, a daughter of the first baron, Jacob von Hirsch, to Vienna, where he seems to have spent the years 1839-1841. This would explain the otherwise unintelligible fact that in 1839, more than two years after his graduation, he obtained from the University of Munich a certificate showing the lectures which he had attended. It is probable that he needed such a document to do what we call post-graduate work at Vienna. In 1841 he returned to Bavaria, beginning his practice in Uffenheim, a town which now has about 2600 inhabitants, and a Jewish community of about seventy souls. The district government of Ansbach gave him a permit to practice, and probably the document (I.), allowing him to practice in Nordheim with the additional privilege of keeping a pharmacy, was made necessary by a law which would not allow a physician to practice outside of the town for which he was licensed. There are four towns called Nordheim in Bavaria. The one to which this document undoubtedly referred is located in the *Bezirk* of Scheinfeld. The reason for this identification is found in the permit which is dated from Seehaus, a castle near this place.

In all probability the lord of the manor still possessed cer-

tain rights over the Jews as a relic of the old *Schutzjuden* system, which made the right of residence on the estates of the feudal lord dependent on the latter's consent. Quite instructive is the third section of this permit which shows the position which the local community took in reference to the young doctor's residence. They were willing to allow him to practice there, a privilege which in a village of 527 inhabitants could not have been very remunerative, but they were afraid that at some time the doctor might leave the place and then he and his prospective family would retain their privilege of residence without doing any service and might at some future day return and become a burden on the town. The fathers of the village, further, were fearful that, the ice once having been broken and a Jew having obtained the great privilege of settling in their community, hitherto evidently not open to the Jews, the danger that other Jews would demand and obtain the same privilege would arise. The prince of Hohenlandsberg, residing in Seehaus, calmed their fears by declaring that on account of the law such privileges could only be obtained by an educated Jew, and that if Dr. Bettmann should leave Uffenheim, he would obtain his *Heimatsrecht* in some other place by which his claim on Nordheim would lapse.

We do not wonder that self-respecting men became tired of such conditions, and as Meyer Forchheimer,[2] a brother of his wife, had settled in Cincinnati, Dr. Abraham Bettmann gladly followed the former's advice and began practice in Cincinnati, where he was one of the pioneer German and Jewish physicians. It is worth while observing that with all the restrictions placed on the Jews by the government, the social position of an educated Jew was quite favorable. Only two years after Dr. Bettmann had settled in Uffenheim, he was made an honorary member of the Philosophical and Medical Society of Würzburg,

[2] He was the father of Dr. Frederick Forchheimer, September 25, 1853-June 1, 1913, a foremost medical practitioner of Cincinnati.

and previously, soon after his graduation, he had become a charter-member of the Concordia of Munich, which in 1863 sent him a message of friendship on the twenty-fifth anniversary of its foundation. He was prominent as a practitioner in Cincinnati, as is seen from the fact that in 1887 when, after the death of his wife he retired from practice, he was made an honorary member of the Academy of Medicine.

Abraham Bettmann was a man of fine literary ability. A poem (III.), found in his papers, shows him to have been a man of more than usual literary gifts. The only puzzling fact is that he should not have written more. It is quite likely, however, that in his old age he destroyed a great many of his former writings. The remarkable will (IV.) that he wrote in his eighty-eighth year shows him as a man of fine feeling, and of a most wonderfully well preserved mentality. His wish, that he be not embalmed and laid on ice and not buried until physicians had ascertained evidences of decomposition, is explained by his son, Dr. W. A. Bettmann, to whom I am indebted for the permission to publish the appended documents, as the result of a fear that he might be buried alive. His wife was, as a young girl, in a trance, and then came near being buried; the nephews Fred and Robert, mentioned in this will, are Dr. Frederick Forchheimer and his brother-in-law Dr. Robert W. Stuart. The command that he should be buried in his usual garments seems to be directed against the practice, then still existing although no longer generally observed, to bury men in their linen shrouds. The allusion to Hermann Mack evidently presupposed that the latter would object to a departure from this sacred tradition.[3] Dr. Bettmann's request showed him to be a representative of those survivors of the reactionary period of 1848 who had a bitter feeling against all religion. His

[3] He was, to my recollection, the last member of the congregation Bene Yeshurun, of which Isaac M. Wise was rabbi, who retained the practice to keep his head covered during services.

desire that the time of his funeral should not be announced, as well as the direction that the children, absent from the place of his death should not be notified until after the obsequies, shows his antipathy to all ostentation.

Abraham Bettmann, who died January 14, 1901[4] and thus survived three generations, was a remarkable representative of the rapid transition of Jewish ideals from the days of Abraham Bing, and Wolf Hamburger, exponents of the ideals of the eighteenth century to a modern era, in which these were as foreign as those of the Middle Ages. It is greatly to be regretted that in the ninth decade of his life, when he was still in possession of his intellectual powers, he should not have set down in the form of memoirs the intimate life of the Jewish community at the dawn of a new era.

I.

28,615. ANSBACH den 28sten August 1843.
Nro. 38,324.

IM NAMEN SEINER MAJESTÄT DES KÖNIGS VON BAYERN.

Dem praktischen Arzt Dr. Bettmann wird auf sein Gesuch vom 3ten dies Monats hiermit die Erlaubnis ertheilt in Nordheim und dessen Umgegend die ärztliche Praxis auszuüben und nach Ziffer 2 paragraph 4 der Apotheker-Ordnung vom 27ten Januar 1842, eine Handapotheke daselbst zu errichten.

Königliche Regierung von Mittelfranken
Kammer des Innern.

An
den praktischen Arzt Dr. Bettmann
in Uffenheim

Die Erlaubnis zur Ausübung der ärztlichen Praxis in Nordheim betr.

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[4] Obituary notices appeared in *Tägliches Cincinnatier Volksblatt*, January 15, 1901, and *The American Israelite*, January 17, 1901.

II.

Abschrift

Beschlusz.

Dem praktischen Arzt Herrn Dr. Bettmann in Mkt Nordheim wird hiemit die Bewilligung ertheilt, sich mit Sara Forchheimer von Uffenheim, verehelichen zu duerfen.

Gruende.

1. Die gesetzlichen Vorbedingnisze für die Verlobte sind entsprechend nachgewiesen und ebenso ist deren besitzendes Vermögen mit 5007 Fl. 28 als anerkannt anzunehmen.

2. Der Pflegschaftsrath hat gegen das Verehelichungsgesuch keine Erinnerung vorgebracht. dagegen

3. will die Gemeindeverwaltung ihre Einwilligung nur unter dem Vorbehalte ertheilt haben, dasz wenn Herr Gesuchsteller über kurz oder lang den Ort Mkt. Nordheim verlasse, sowohl für ihn als seine Familie das Heimathsrecht erlösche und
dasz nur mit Ausnahme eines wissenschaftlich gebideten, keinem andern Israeliten welchen Standes und Gewerbes er auch sei, in der Marktsgemeinde Nordheim die Ansässigmachung und Verehelichung zugestanden werde.

Diese quasi Beschränkungen sind schon durch die vorliegenden gesetzlichen Bestimmungen gehoben wesshalb in dem Beschlusze darauf keine Rücksicht genommen wurde und zwar

Zu a. durch das Heimathsgesetz vom 11ten Sept. 1825 § 2 ist ausdrücklich ausgesprochen, dasz eine früher erworbene Heimath durch eine später erworbene in der Regel aufgehoben werde, wenn nicht besondere Uebereinkünfte mit der Gemeinde errichtet worden sind, in welcher früher das Heimathsrecht bestanden hatte

Zu b. Die Ansässigmachung der Israeliten richtet sich nach dem § 13 des Edikts vom 10ten Juni 1813 dann nach dem revidirten Ansässigmachungsgesetze vom 1. Juli 1834 wo den Gemeinden ihre Erinnerungs- und Einwanderungsrechte schon besonders reserviert sind.

Seehaus den 19. Januar 1844.

Fuerst. Herrsch. Gericht Hohenlandsberg.
(L. S.) v. Kolle.

vert.

Vorstehender Beschlusz wird dem H. Dr. Bettmann publicationis loco hinausgegeben.

Seehaus den 19, Januar 1844.
Fuerst. Herrschaftsgericht Hohenlandsberg

III.

[A poem found among the papers of Dr. Abraham Bettmann.]

Einsam immer mehr,
Wo ich auch bin,
Trag' ich des Alters schwer
Lastenden Sinn.

Freuden sind all' entflohen
Lieb und Gesang
Jugendgenossen schon
Suchen, wie lang,

Aber die Lust, das Leid
Die mich verzehrt,
Durch die Vergangenheit
Sind sie verklaert.

Doch auf der Zukunft Spur
Traurige Fracht
Welkende Blätter nur
Sternlos die Nacht.

Frage nicht, trage stumm
Du hast gestrebt;
Bald sind die Tage um
Die du gelebt.

Sieh, wie der Vogel thut
Schwärmet und singt,
Doch wenn es dämmert, ruht,
Schattenumringt.

Schlummert im grünen Wald
Rühret sich kaum
Einzelne Laute lallt
Er noch im Traum.

Einmal im Morgenschein
Liegt er im Moos
Und ist die Lust und Pein
Immerdar los.

Weiter im schönen Wald
Singt der Chor
Schweigen wird der auch bald
Grämst Du Dich Thor.

IV.

CHICAGO, 5.17.93.

Es ist wol nicht verfrüht, wenn ich im 88sten Jahre einige Anordnungen in Bezug auf meine Beerdigung niederschreibe. Ich wünsche, nach meinem Tode nicht in Eis gelegt oder balsamiert, embalmed, zu werden. Ferner ist es mein Wunsch, meine letzte Wohnung nicht eher zu beziehen bis Zeichen der decomposition, Verwesung, wahrnehmbar sind. Wenn ich hier dem Leben Valet sage, so wird Dr. Kuh dem alten Collegen den letzten Dienst erweisen, meine Leiche einigemal zu untersuchen, um die Ueberzeugung zu gewinnen, dass es wirklicher Ernst und keine simulatio ist. Sollte ich in Cincinnatti [*sic*] sterben, so erwarte ich diese Freundlichkeit von meinen lieben Neffen, Fred und Robert. Meine Leichentoilette soll in meinen alltäglichen Kleidern und einer skull cap bestehen. Herr Hermann Mack, der von meinem Tode sogleich unterrichtet werden soll, darf freilich von diesem Reise-habit nichts wissen. Eine Todesanzeige kann in irgend einer Zeitung bekannt gemacht werden, aber nicht die Zeit der Beerdigung. Diese soll strictly private sein. Still und ruhig wie ich stets gelebt habe will ich auch meine letzte Reise antreten. Auf die Rückseite des Obelisks der das Grab unseren teuern Mamma bezeichnet, soll mein Name, der Tag meiner Geburt und meines Todes eingemeisselt werden. Ich verlange keinen besonderen Grabstein. So sehr ich auch stets den Verlust meiner edlen Frau, Eurer guten Mutter, tief bedauerte, so freut es mich jetzt, dasz der wärmste Sonnenstrahl meines Lebens mir das Geleite nicht geben kann. Der Tod hat nichts abschreckendes für mich, aber ich verlasse meine lieben Kinder so ungerne. Der Norweger sieht auch den Untergang der Sonne, obgleich sie ihm um Mitternacht noch leuchtet. Meine abwesenden Söhne sollen erst nach meiner Beerdigung von dem Heimgang des Vaters unterrichtet werden. Mit thränenden Augen nehme ich nun den ewigen Abschied von Euch und küsse jeden zu weiderholtenmal. So lebt denn wohl, ewig wohl! Friede und Liebe möge immer unter Euch walten.

Euer Euch liebender alter Vater A. BETTMANN.

REFERENCES TO JEWS IN THE CORRESPONDENCE OF JOHN J. CRITTENDEN.

Contributed by Cyrus Adler and Albert M. Friedenberg.

John Jordan Crittenden (1787-1863) was a distinguished American public man, who left a mass of correspondence and other papers of considerable historical interest. In 1913 the Library of Congress, which had come into possession of this material, issued a *Calendar* thereof.[1] An examination of it yielded a few items of Jewish interest which we have had copied and have provided with brief explanatory notes. An appropriate entry to the *Calendar* is added in each instance.

I.

Yellow Banks June 13th 1830

Dear Sir

This will be handed to you by my brother William, who goes to Frankfort on some business for us, & will probably want your advice as to the steps to be taken in some suits pending in the Genl court, if so, we have directed him to call on you— He is a Jackson man, tho' I think rather sick of it— He has tried his best to get Dr Roberts (the candidate here on his side) to pledge himself to vote for you—& not doing it, Wm is in great doubt whether he can vote for him or not, & will, at any rate, be very active in

[1] "Calendar of the Papers of John Jordan Crittenden," Library of Congress, Washington, 1913, pp. 335. See *Publications of the American Jewish Historical Society*, No. 22, p. xxiii. The reference to the land of the Myers appears on p. 20 of the *Calendar*, and one to Solomon Heydenfeldt on p. 195. We note, also, the mention of John Isaacs, p. 17; of the firm of Samuel or Samuels, pp. 21, 27; of Samuel of Alabama, p. 214, and of Kentucky, p. 270; of S. N. Kalfus, p. 146; of Henry A. Klopfer, p. 191; and of Theodorus Bailey, son of Mordecai, Myers, p. 231.

procuring instructions directing Roberts to vote for you against the field should he be elected—

When in Louisville last, I directed Everit, the Barkeeper at Allens, to send you, by first private opportunity, $36—the interest for 6 months on our bond to M^rs^ Innis—which I hope you have rec^d^. Please inform me if you have not rec^d^ it— I left Louisville so unexpectedly & at such short notice that I had not time to write you enclosing the money myself, & therefore requested Everit to do it—

Your letter of 2^nd^ May has been duly received— I am fully aware of how disagreeable your present political struggle must be, but if I am correctly informed, it is not necessary you should *struggle* much— Still *any* contest with *such* a set cannot be otherwise than disagreeable— Your consolation must be, that you are aiding to uphold a just against an unjust—a righteous against an unrighteous cause—in fact,—that you are fighting to defend the well being, if not the very existence of the Republic from the assaults of its worst enemies—that one of these mortal stabs at "man's last hope on earth" has been made through you by an act of the most flagrant outrage that ever disgraced the life of a civil Tyrant—that therefore *duty* requires that you should be found in the foremost ranks, where the battle rages hotest, contending like a man for the rights of free men— Lead on Sir, & fear not—when your hour of greatest need arrives, you will find your *real* friends around you & should it be your lot to fall "in the last Ditch" you will at least have done *more* than to succeed—for you will have *deserved* success— Should you on the other hand gain the day—which God grant,— It certainly must afford you great pleasure to tryumph over the selfish hollow hearted hypocritical rascals by whom you have been attempted to be put down—& by some of them too, while professing the warmest friendship for you— Is it not strange, passing strange, that such men should be tolerated at all—for *to my knowledge some* of them are equally treacherous to friends & foes—to political associates & opponents— I immagine the contest for the Senate will be between you & Dick Johnson—at least I want it to be so—& I shall never die happy, untill you inform him unequivocally that you see through & perfectly understand his whole opperations winter before last in relation to the judgeship— I would not even allow him the poor consolation of thinking he had been *successfully cunning.*— Your views in relation to the course to be pursued by you are doubtless correct— It is now well understood

here that those who ought to know, confidently expect you to be a candidate—& I verily believe we shall elect our man & if we do not I am sure we can instruct the other *as to you*— One thing operates against us, through the State generally—& I wish it were otherwise— That is—Wickliffe, from his manuveres, is proclaimed & considered, by our opponents, as the candidate, & he I think is very unpopular— In our county, for instance, it would be idle to attempt an instruction to vote for him— He is more odious to the Jackson men, & less popular with our own men than any other man of our party— I look forward to our general election in August with great interest & so important is the issue of that contest, that I think with you, every "good man & true" should unite in one spirited & patriotic effort— If successful, I shall take no little pleasure in seeing you disperse the *whelps* you are now contending with on the outskirts of the forest, & then march up tryumphantly & *beard* the old Lyon in his den— In the Senate of the United States you will be one of the Tyrants constitutional equals, whose approbation he must sue for— *There*,— expressing the bold & indignant feelings of millions of freemen— you can thunder in his ears language which he *must* hear & *must feel*— Had *I* the requisite talents—the priviledge of such an occasion to exercise them, would make me feel—& rejoice in the feeling—that there was yet a redeeming spirit in the constitution of my country—& I believe I should feel more real pleasure in making the King tremble on his throne & driving the blood from the countenances of his "palace slaves" than I should feel, were I conscious of being justly considered the most polished corinthian pillar that supported the temple of the purest administration— my *partiality*, if not my judgement, induces me to believe you *have* the ability—& my hopes make me believe you will have this occasion— If so, remember that you are the servant of an insulted & indignant people, who have the right to speak the language of reproof & condemnation even to their most exhaulted servant— Should you be elected—that fact, of itself, will shew which party has the majority—& then, I sincerely believe, I have spoken the feelings, the wishes and the expectations of those who will be your constituents— I have said nothing to Calhoun as yet about your feelings & disposition towards him— I have determined to wait & see how he conducts himself during the summer. I believe however he is true to his principles—firm in his course, & warm in the common cause— I immagine that part of his conduct which created distrust last winter, was the effect of some local

influence wherein he did not consider principle as involved— We shall however see after awhile—

What think you of Jacksons *veto?* Did you ever see such a state paper—wrong in principle, & clumsy in expression, it is a canting hypocritical electioneering document—intended to *fix* the allegiance of the South & Virginia—with as little offence as possible to the North & West. I should say the little magician *conceived* it, & made Jackson & Eaton write it, to prevent the world from accusing him of being its author— Can it be possible that New York, Pensylvania & the West can be *gulled* by such foolery— I cannot believe they are so steeped in Jacksonism, or so blinded to their own interests— I assure you I am truly grieved that Mr Bibb should have voted against this appropriation, for I believe it must seriously injure, if not prostrate him, *as a politician,*—for my own sake, I hope he will convince me he did not consider himself instructed to vote for it—nor did he believe it to be the will of his constituents that he should—for according to my idea, it is the sacred duty of a representative to do the will of his constituents, no matter whether he ascertains that will, through formal instructions, or otherwise—& if his constitutional scruples should oppose an obstacle, he is bound immediately to resign & let some one be elected who has no scruples—

What an insult to the Senate, & what an outrage of all decency dignity & propriety was the renomination of Noah—in the absence of 2 members who were known to have voted against him—for a small matter, I do look up this as one of the most detestable acts that any president was ever guilty of— But enough of this chapter which has no end— Frances is sitting by me, & says give my love to M^{r} Crittenden & tell him he is not the man I take him for if he cant beat Lewis Saunders & Dick. Johnson both & without dificulty too— She also says—now quit, (in which you no doubt join her) so as in duty bound I do quit & subscribe myself

Yr. friend

A. T. Burnley

P.S. Will you, if you please, examine the copy of a compromise entd. into between R. Triplett & Chapman which W^{m} R. Burnley will deliver you—& inform us whether you consider it sufficient in law fully to effect the intentions of the parties—& if it is not, please say in what it is deficient— Chapman I believe is the adm^{r} with the will annexed of Blight & Darby both— You can however learn from Judge Mills in what relation Chapman stands to these

estates—if that information should be necessary to the formation of your opinion— If the compromise is valid in Law I presume it will be necessary you should have the original to enable you to take judgements in the Picketts suits—if so, we will send it up to you— Please give us your opinion of the validity of this compromise on the back of the copy sent.

This compromise, if valid, will enable us to sell some of the land & raise money for expenses—among the first of which we shall remember some good fees due to you.[2]

II.

107 St Marks Place [New York]
May 1st 1856

My dear Sir,

When I consulted you on the propriety of my leaving Washington, during the discussion, and efforts, of the leading great men, of the Senate, who were endeavouring to obtain constitutional Justice for the oppressed, and down trodden, officers of the Navy, who have been so basely betrayed, and sold, by the Board, of Fifteen; you said that I might be absent for a few weeks, without detriment to my interest, or the cause; it has occurred to me, that my non-appearance, within that time, might lead you to think Indifference, or mercenary affairs, have interfered, with the duty, I owe, my honor, & unspotted character, which I hold more dear, than life, or Fortune, both of which I am willing, and ready to surrender, in the maintenance of that commission, which the Senate honored me with, in 1844; true that I stand on the navy register, since that promotion, "No sea service" (on which Mr Mallory[3] put so much stress, as if we were just commencing to learn our profession)

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[2] Albert T. Burnley was one of John Jordan Crittenden's early friends and neighbors in Kentucky. See "The Life of John J. Crittenden," by his daughter, Mrs. Chapman Coleman, 2 volumes, Philadelphia, 1873. Noah was appointed Surveyor of the Port of New York by President Andrew Jackson in 1829. This may have been a recess or a "rejected" appointment by the Senate, as Burnley speaks of a "renomination." In later life Burnley resided in Washington where he controlled the *Republic* newspaper, *Calendar*, p. 39.

[3] Stephen Russell Mallory, 1813-1873, Senator from Florida, 1851-1861.

for this the "Secretary of the Navy" should be censured, not me; as I have applied at least 18 or 20 times, for "sea service," besides numberless applications from my friends; In one of my applications for the command of the Macedonia Frigate, which was detailed to carry out provisions to the starving Irish, I offered to give all my pay, and rations, during that service, towards that benevolent purpose, have any of the "Board of Fifteen", or any Officer, who has been promoted, by the action of the board, such a testimony of Charity, on the records of the department? had M^r^ Dupont, Shubricke, or Stribling, done such an act, it would have been "*Trumpeted*," not "Whistled," throughout the Navy. I thank you from my heart, for your noble vindication of my messmate in the "Argus" L^ieut^ Watson, he was every inch a man, "and take him all, in all", I fear we ne'er shall see his like again" in the Navy, as I am the last surviving Wardroom Officer, of that dashing Brig, it gives me great pleasure to hear his gallant deeds, so truthfully depicted before the Senate, by Kentucky's favored, and gifted, son; but I find I have written thus far, without informing you, as to the cause of my detention here; about 2 weeks ago, I fell through an Iron grating, which shattered my left Leg, and Elbow, so severely that I have ever since been confined to my bed (such a fall, certainly would have killed, any one of the "Immortals") I am in hopes to be able to leave it in the course of 2, or 3, weeks, it was a most miraculous escape of my life.

It is the unanimous opinion here that Judge Iverson's[4] resolutions, are the true remedy, for the evil complained of, by the dismissed Officers; it would be unjust, and impolitic to consign us again to a Committee, most of whose members, have already adjudicated our cases, it is only from "Scylla" to "Charybdis": I hope my dear Sir, you have heard enough on the Floor, since I left, to change your vote, in favour of passing these resolutions. If this board is composed of such highminded, & disinterested men, as the Chairman of the Naval Committee says it is, instead of opposing an examination into their proceedings, they should be the first to demand a severe scrutiny, to redeem their characters, from the universal stigma now attached to it, they have indeed become less than a byword. I have been astonished to hear with what general unanimity, they have been denounced, by Clergy, Lawyers, and

[4] Alfred Iverson, 1798-1873, Senator from Georgia, 1855-1861. For seven years he had been a judge of the superior court of his state.

Merchants, it is a Basalm to my mortified pride, and wounded feelings.

If you think it is absolutely necessary for me to be in Washington, I will come on, côute, qui côute.

My wife joins me in very kindest regards to M^rs^ Crittenden, hope she will let M^rs^ Levy know, when she visits New York. With best wishes for your health and long life,

I remain my dear Sir
With profound respect, & admiration,
Your sincere friend
U. P. Levy
Captain
Late U. S. Navy [5]

Hon^ble^
J. J. Crittenden
U. S. Senate

III.

Quincy Ills—March 22/58

Hon. J. J. Crittenden
Washington
My Dear Sir

Permit an old friend to express his satisfaction and delight, at reading your recent able speech on Kansas affairs—the sentiments therein expressed are just such as I should have expected from the

[5] Crittenden returned to the United States Senate in 1855. The Naval Board of Fifteen of 1855-56, created by the act to retire superannuated officers, compulsorily retired no less than 201 officers of the line, among them this correspondent, on the system since familiarly known as "plucking." Rear-Admiral W. B. Shubrick, mentioned in this letter, was another of those thus retired. Crittenden in his acts and utterances gave point to his belief that a reform in the administration of the Navy was needed; but he held that sooner than retiring and thereby dishonoring and displacing an honorable and faithful officer, he was entirely willing to abrogate the law providing for this. He thought that the Secretary of the Navy could properly proceed of his own motion in this matter and restore worthy officers by executive nomination, at the same time vigorously excluding the incompetent ones. The topic was a "burning" one in the Congress of that day. *Calendar*, p. 196.

John Crittenden of my past recollections, and I am quite sure had Mr Clay been alive and by your side in the Senate, he would have spoken as you did— I am more than gratified, that the only surviving leader of the Glorious old Whig party should stand before the Country, the advocate of just and Constitutional principles— I had never doubted the correctness of my own course, *here in Illinois*, in meeting with the Republican party, but since reading your speech, I am sure I am right— The old Kentucky Whigs, living in this part of Illinois and we are very numerous, are all as much delighted as I am— May God bless and prosper you, is the prayer of

Your old & devoted friend
A. JONAS [6]

send me a pamplet
copy of your speech

IV.

NEW YORK, March 10th, 1859.

Gentlemen,

We have delayed a full reply to your letter of the 7th of January, that we might consult the parties interested in the New Almaden Mine, as to the terms proposed by you for defending their interests in the suits pending, or that may be appealed hereafter to the Supreme Court of the United States.

We have now to say to you, that having received their instructions, we are able in their behalf, to accede to the terms proposed by you, with the understanding however, that the unconditional fee of $10.000. to each of you, is to be considered as comprehending all the cases affecting in any way the title to the mine and its appurtenances:— Such as the appeal from the District Court, and any appeals from the Circuit, or District Court of San Francisco;— the appeal in the Fossat case, and also in the Berreyesa Case;—so that you will attend to all litigation now existing, or which may arise, directly or indirectly, until the title to the mine is clear of all questions from the Government, or private claimants,—confirmed by the Supreme Court of the United States, to the New Almaden Company.—

We propose to pay the remaining $4000. to each of the Counsel

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[6] He was the friend, too, of President Lincoln. See *Publications*, No. 17, p. 123 *et seq.* *Calendar*, p. 208.

in two payments viz: $2000. on the 1st day of June 1859 and $2000. on the 1st day of June 1860.—

The contingent fee of $25,000. dependent on success in securing the mine to the New Almaden Company we consider as resting solely on their responsibility, and not involving any guarantee on our part.—

We hope that the arrangement as set forth in this letter will be acceptable to you, and we remain,

Very respectfully,

Your obedt Servt

GOODHUE & Co.[7]

To Messrs

J. J. Crittenden,
Reverdy Johnson,
John A. Rockwell &
J. P. Benjamin,
Washington.

V.

Hon. J. J. Crittenden

Sir.

I have sought a copy of Mordecais Military Report (Crimea), and unsuccessfully;—perhaps Mr. Crittenden may be able to obtain a copy, which he might be disposed to favor me with.

Yours truly

W. HUDSON STEPHENS

Martinsburgh

Lewis Co.

New York[8]

5 May '62

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[7] This letter refers to the case of The United States *v.* Andres Castillero, etc., 2 Black (67 U. S.), 17, which was argued and determined at the December term, 1862, of the Supreme Court of the United States. It relates to the mine of the New Almaden Company and is exceedingly lengthy. Covering pp. 17 to 371 of the report, the opinions may be found from p. 144 to the end. Benjamin was not one of the counsel before the court: see *Publications*, No. 12, p. 71. *Cf.* the case of U. S. *v.* Castillero, 23 Howard (64 U. S.), 464 (December term, 1859). *Calendar*, p. 225.

[8] The reference is to Major Alfred Mordecai's report on the Crimean War. See *Publications*, No. 3, p. 40; *ibid.*, No. 6, p. 47. *Calendar*, p. 276.

VI.

Boston May 5″ 1862

Hon J C Crittenden M C—
Washington, D. C.

Worthy Sir!

History has no instance on record where so much patriotism has been rewarded with such much indignities and malice as *you* and those Gentlmen from the "loyal *Border States*" ever since this notorious Congress is in Session

Sir! in no other Assambly in *the whole* World would men stand such treatment as you and your Borderstates Men have to endure, Where it only to you personally it would not be so portencius, but it is a systematic policy of the madned Republicans to drive you to the Wall, just as they have driven to the Wall those who are now to be destroyed by every device of Despotism.

Sir! I wrote not long since, that you were allready in Congress when some of those who play the schoolmaster over you were not born and now everything Comes from you is defeated and scorned— If your sixty years Experience is of no Value to these Wise Men who by accitent have the Mayority, go, go go home and tell it to your poeple, that you where not in Congress to delibierate but only to be insulted

"The telegraph brought the News yesterday that the Borderstates Men in Congress intent to withdraw in Mass" let them go to Hell, they are all a pak of proslavery Despots as bad as Jeff Davis and Yancy" was the reply of "*moderate*" *Republican* they have long enough ruled the Country in the interest of slavery freedom must rule and slavery must be rooted out *NOW* or never these Borderstates men are only an impediment a brake on the chariot of Progress let them go, and we shall have free action" such is the feeling here and you Men of the loyal States of Kentucky Maryland Missury and delaware you stand such an slavish position!

I never was in a slavestate do not personally know a "Slaveholder" but by the eternal God, befor I would yield to mobbish majorities to dispose of my inherend right in my property, I would rather assamble in Hell and meet with Devils befor I would remain one hour longer with those who under the Garb of Liberty would make ME their servant *and slave*

Thank God! I have told you the my sentiments

truly Yours Samuel Stern [9]

[9] The identity of this correspondent cannot be determined. *Calendar*, p. 277.

VII.

Dear Sir:

I stopped in this night to the Hotel to give you the enclosed from my hand personally but you were out—

I will endeavour to stop in by ½ past 10, or see you at the Capitol, in the morning.

With great regard I am as ever your Ob^{t} Ser^{t}

H. M. SALOMON[10]
450. Penn Ave

Hon^{l} Gov^{r} Crittenden

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[10] In the *Calendar*, p. 289, this is listed, evidently through a typographical error, as a letter from H. M. "Solomon." It evidently relates to one of his claims, arising out of his father Haym Salomon's Revolutionary loans to the Government and may date from 1848, 1850, 1860, 1862 or 1864. See *Publications*, No. 2, p. 18. Crittenden was Senator from Kentucky from 1842 to June 22, 1848 and again from 1855 to 1861. He was, besides, a Representative in Congress from 1861 to 1863.

A SPANISH-AMERICAN JEWISH PERIODICAL

By Rabbi Martin Zielonka.

A country without a Jewish congregation, a Jewish charity organization or a Jewish cemetery and yet a country with a Jewish periodical, such was Mexico in 1889. The journals[1] from which I draw the items for this paper were presented to me by Prof. Francisco Rivas, while visiting the City of Mexico in the interests of the Union of American Hebrew Congregations in June, 1908. Prof Rivas edited this periodical, published under different names; whether or not the file in my possession is complete I cannot say. *El Sabado,* dated April 27, 1889, begins with number 2 and whether there was a previous number I have been unable to ascertain.

Francisco Rivas was exceedingly reticent about his history. The main facts of his life are found in *The Hebrew Standard,* for November 25, 1892 (vol. xxvi, No. 10), which also prints a good likeness of the man. He was born at Campechy, Peninsula of Yucatan, in 1850. He fought for his country, especially at Champoton, and was a member of the Mexican Society of Geography and Statistics.

On February 9, 1889, appeared *El Sabado Secreto.* It consisted of four pages, 8 x 11½ inches. This number contains the statement. *Nuestor periodico solo circulará entre israel-*

[1] The journals in my possession are of the following dates: *El Sabado Secreto,* No. 1, February 9, 1889; *La Luz del Sabado,* No. 2, February 23, 1889; No. 3, March 2, 1889; No. 4, March 9, 1889; No. 5, March 16, 1889; No. 6, March 23, 1889.

The following numbers consist of four pages, 9 x 13 inches: *El Sabado,* No. 2, April 27, 1889; No. 3, May 15, 1889; No. 4, June 1, 1889; No. 5, June 15, 1889; No. 6, July 15, 1889; No. 7, August 1, 1889.

itos. Evidently there were not enough Israelites demanding such a paper for the statement is dropped from the second number appearing under the title, *La Luz del Sabado.*

The first number declares the paper to be: *Periodico Judaizante* and *Organo de los Sefardis de America. Nuestro Programa* is, as follows:

When in 1492, Isabel of Castile and Ferdinand of Aragon, expelled from the Iberian peninsula those Spaniards who believed in the unity of God, the same Catholic majesties at that very same time helped Columbus discover the New World; a new world in which the expelled would find a new fatherland, and the Spaniards a New Spain.

And when the same conquering priests baptized by force the Arab and the Hebrew living in the peninsula, as well as the continental savage, making Moriscoes of the Moors, secret Jews of the Hebrews, Indians of the savages and New Christians of them all, why did not the church understand that from the fusion of eastern and western people, there would be born a new race who, later on, would free the conquered land and proclaim that freedom in religion and government which had been lost?

Such is the origin of the Spanish Americans, since the priests, believing in celibacy, never could have been our ancestors; we would defend with firmness those victims who, even to-day, are sacrificed to the politico-religious fanaticism of the old world; we enter the arena of the press to struggle for the cause of humanity; we are publishing the *autos-de-fé* held during the last century in order that we might know our brethren by name; we condemn the cruelties of the Inquisition and we proclaim Jewish fraternalism, which is Masonic, which is uniquely universal,—this is our program.

The editor is, to some extent, interested in philology and thus there are scattered throughout the various numbers naive philological derivations of Hebrew and Spanish words. Interesting as these might be to the student of philology, the records of the *autos-de-fé* are the most interesting. The author gives the following introduction to his list of documents:

The Inquisition documents which we now publish in our *Sabado Secreto* are as rare as they are authentic. Acquired at great cost

by our grandfather when the partisans of the *Santo Oficio* consigned to the flames all papers relating their cruel and inhuman persecutions, they bear testimony to the fact that in the eighteenth century there were in Spain thousands of Jews, without distinction of age or sex, who were martyrs to their faith and perished on the pyres of Madrid, Granada, Seville, Toledo, Cordova, Murcia, Cuença, Mallorca, Santiago, Llerena, Valencia, Valladolid, Barcelona, Zaragoza and other Spanish cities, confessing the unity of God and proclaiming the brotherhood of man.

We believe such important documents will be appreciated to the fullest extent and they will be read with the interest they deserve by our illustrious and humane co-religionists.

I would declare emphatically that the victims, whose names are well known and Castilian, are of Sephardic origin; we have a common cause with the Spanish Americans.

We intend publishing also the *autos-de-fé* celebrated in New Spain, during the vice-regal government and we shall explain, at the same time, the terminology used by the Inquisition; we shall recite the torments for a better understanding of the course pursued against our never sufficiently bewailed Mexican Jews.

This programme was never completely carried out because the paper evidently did not receive the necessary financial support. But the list of Inquisition documents is interesting to the student of Spanish Jewish history. The names are often those of well known Spanish and Mexican families and a genealogical study of some of these devout Catholic families would be interesting.

A list of the offenders who appeared at the special *Auto-de-fé*, celebrated by the *Santo Oficio* of Madrid at the church of the convent of *Santo Domingo el Real* of that Court, Sunday, the 18th of the present month of May, 1721; the Inquisition general being the most illustrious and most reverend Señor Don Juan de Camargo, bishop of Pamplona, counselor of His Majesty, etc.

Burned Alive.

1) Antonio Carillo, native of the city of Malaga, inhabitant of this court, 55 years old; reconciled before for professing Judaism at the inquisition of Cordova; was condemned that he appear at this *auto* with *sanbenito* and *coroza de llamas*, for relapsing to Judaism.

2) Maria Barbara Carillo, native of the city of Jaen in Andalusia, resident of this court, a widow, 95 years old; appeared at the *auto* for relapsing to Judaism, was convicted and obstinately refusing to deny her errors, with *sanbenito* and *coroza de llamas.*

3) Ana Maria de Morales, wife of Antonio Carillo, native of the city of Malaga, resident of this court, 56 years old; appeared at the *auto* for relapsing to Judaism, was convicted, and stubbornly refusing to deny her errors, with *sanbenito* and *coroza de llamas.*

4) Manuel Silvera, native of the city of Archidona, in the kingdom of Granada, resident of the city of Murcia and residing in this court, married, lessee, having the renting of the provincial taxes on tobacco, 34 years old; appeared at the *auto* for Judaism, impenitent, was convicted, refusing to retract and stubbornly holding to his errors, with *sanbenito* and *coroza de llamas.*

5) Leonor de Ledesma y Aguilar (*alias* Espinosa, *alias* Melo), native of the city of Tarifa, in the bishopric of Cadiz, resident of this court, a widow, a seamstress by trade, 56 years old; appeared at the *auto* for Judaism, was convicted and holding stubbornly to her errors, with *sanbenito* and *coroza de llamas.*

Dead who were relaxed in effigy:

6) Ana Carillo, deceased, native of the village of Cabra in Andalusia, resident of this court, daughter of Antonio Carillo and Ana Maria de Morales, single, 18 years old; against whose memory and fame cause had been shown, was condemned to be burnt at the *auto* in effigy, representing her person, with *sanbenito* and *coroza de llamas* for impenitent Judaism.

7) Isabel de Morales, deceased, native of Alcalá de Real, a widow, resident of this court, 70 years old; against whose memory and fame cause had been shown, was condemned to be burnt in effigy, representing her person, with the badges mentioned above, for impenitent Judaism.

Reconciled in person.

8) Gaspar Carillo, native of the city of Seville, son of Antonio Carillo and Ana Maria Morales, resident of this court, without a trade, bachelor, 36 years old; appeared at the *auto* as a penitent for Judaism with *sanbenito de dos aspes;* was reconciled in form with formal denial, confiscation of goods, house and irremissible prison; and before the completion of his penitence he shall serve on the galleys of his Majesty for seven years at the oars and without pay; and when this is finished he shall return to his cell in the prison.

9) Maria de la Peña, native of the village of Sepúlvida, bishopric of Segovia, resident of that court, a maiden lady, a seamstress by trade and an ironer, 40 years old; appeared at the *auto* as a penitent for Judaism, with *sanbenito de dos aspes* and candle in hand, she was reconciled by formal abjuration, confiscation of all possessions and perpetual imprisonment.

10) Manuel Gutierrez, native of the city of Avila de los Caballeros, resident of this court, a clothing merchant, a bachelor, 51 years old; appeared at the *auto* as a penitent for Judaism with *sanbenito de dos aspes*, wax candles in hand, was formally reconciled by confiscation of goods, home, life imprisonment and banished from the cities of Avila and Malaga and from within eight leagues of that court for ten years.

Spanish Jews residents of the court of Madrid.

Each one of the following appeared at the *auto* as a penitent, with *sanbenito de dos aspes* and wax candles in hand, and was reconciled in form by formal abjuration, confiscation of goods, home, and irremissible imprisonment:

11) Francisco de Miranda y Ayala, a bachelor, 55 years old; they ordered besides 200 lashes in the public square, which were applied with a halter of two knots about his neck.

12) Francisco Gutierrez Serrano de Ayala, native of the city of Salamanca, married, buttonmaker, keeper of the royal taxes, 34 years old.

13) Ana Maria del Pozo y Cordova, native of the city of Rambla, in the bishopric of Cordova, married to the former, 24 years old.

14) Luis Teodoro de Flores, native of the city of Cadiz, a bachelor, who administered the tax on tobacco for the district of Almunia, in the kingdom of Aragon, 24 years old.

15) Augustina de Sosa, a widow, dressmaker, 71 years old.

Impenitent Jews, condemned to appear at the *auto* in effigy which represented their persons with *sanbenito* and *coroza de llamas:*

16) Gabriel de Cordova, a bachelor, 54 years old, deceased, against whose memory and fame cause had been found.

17) Antonio de Aguila, a bachelor, 46 years old, deceased, against whose memory and fame cause had been found.

18) Isabel de Aragon, a maiden, seamstress by trade, 60 years old, deceased, against whose memory and fame cause had been found.

Report of the special *auto de fé* which the sacred office of the Inquisition of the city and kingdom of Granada celebrated on the 30th day of November in the year 1721 in the church of the royal monastery of San Jerónimo.

Relaxed in person, that is, burned alive for relapsing to Jewish heresies, convicted, and confessed their relapse:

19) Maria Alejandra Rodriguez, native of Mancha Real, kingdom of Jaen, and resident of Malaga, 90 years old.

20) Inés Francisca Rodriguez, daughter of the said Maria Alejandra, native of Puerto de Santa Maria and resident of Malaga, 50 years old.

21) Blanca Maria Rodriguez, second daughter of said Maria Alejandra, native of Puerto de Santa Maria, 40 years old.

22) Diego de Leiva, husband of said Blanca, native of Estepa, resident of Malaga, tobacconist, 42 years old.

23) Gabriela de Torres, native of Menjibar, kingdom of Jaen, resident of Malaga, 70 years old.

24) Ana de Galarza de Torres, sister of said Gabriela, 66 years old.

List of persons burnt alive for relapsing to Judaism, convicted and confessed their relapse:

25) Josepha Enriquez, wife of Simon de Andrade, native of the city of Chile in the kingdom of Peru, resident of Malaga, 60 years old.

26) María de Matos, native and resident of Granada, 70 years old.

27) Beatriz Rodriguez native of Malaga and resident of Granada, 64 years old.

28) Leonor María Rodriguez, Ocaña y Navarro, native of Antequera and resident of Granada, 30 years old.

29) Isabel de Albuquerque, native of Granada, 47 years old.

Relaxed in effigy for Judaism, whose bones were exhumed:

30) Nuño Alvarez Pereira, native of Mogodoiro of the kingdom of Portugal and resident of Malaga, aged 71 years.

31) Beatriz de Fonseca, his wife, native of Troncosa, kingdom of Portugal and resident of Granada, 69 years old.

32) Pedro Alvarez Pereira, son of those referred to, native of Puerto de Santa Maria, resident and administrator in charge of the tobacco tax, at Malaga, 42 years old.

33) Mateo de la Rosa, native of Sevilla and resident of Malaga, accountant in the said city of the tobacco tax, more than 60 years

old; his wife Angela Juarez was relaxed in person at the *auto* of the 21st day of December of the previous year, 1720.

34) Enriquez Alvarez Nuñez, native of Mogodoiro, kingdom of Portugal, without an occupation, resident of Malaga at the time of his death, 69 years old.

35) Francisco de Amézquita y Soria, native of Velez-Málaga and resident of Granada, 40 years old; was ordered burnt alive for conviction of Judaism, impenitent and denying his guilt, at the *auto* of the 21st of December of the previous year (1720) and before sentence was announced he sought an audience, saying that he desired to confess his errors and was returned to his cell where he continually denied his guilt; on this account he was returned and relaxed in person at this *auto.*

Reconciled for Judaism:

36) Nicolás Géronimo de la Peña, native and resident of Malaga, 45 years old, tobacconist; was formally reconciled *con habito*, confiscation of goods and irremissible imprisonment.

37) Diego García de los Reyes, native of Seville, 40 years old, resident of Malaga, tobacconist; was formally reconciled *con habito*, confiscation of goods and condemned to life imprisonment and on the following day at the *auto* he was given 100 lashes for perjury and tardy confession.

38) Manuel de la Paz, native of Moron, by occupation *Paz Manero*, resident and tobacconist, of Alozaina, district of Malaga, was formally reconciled by confiscation of goods and condemned *a habito* and jail for six months.[2]

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[2] The above are taken from *El Sabado Secreto* and from *La Luz del Sabado.* In *El Sabado* there are two articles, one entitled, *La Inquisiçion en Mexico—Siglo xvii*, the other, *Decendencia Judaizante* which are interesting from a historical point of view.

UNPUBLISHED CANADIAN STATE PAPERS RELATING TO BENJAMIN HART.

Contributed by Rabbi Julius J. Price.

Benjamin Hart, the third son of Aaron Hart,[1] was one of the first among the early Jewish settlers who fought for the rights of the Jews in Canada. In the unpublished state papers we find the following facts "relating to his non-promotion owing to the fact that he was a Jew."

On February 12, 1811, in a letter from Three Rivers, Mr. Hart submitted to the Governor-in-Chief a petition that he allow him to join the Militia, and, should he require security, he would be very glad to furnish whatsoever the Government required. The Governor-in-Chief referred this to Colonel Coffin for his views.

The matter slept till the summer of 1812 when Colonel Coffin replied to the Governor that, should Hart join the Militia, the Roman Catholics would object as well as the soldiers of the other religious denominations. When Hart received this communication, he addressed a petition to the Governor, as follows:

To His Excellency, Sir George Prevost, Baronet, Captain-General, and Governor-in-Chief in and over the Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick and the several dependencies, Vice-Admiral of the same, Lieutenant-General and Commander of all His Majesty's Forces in the Provinces of Lower and Upper Canada, Nova Scotia and New Brunswick and their several dependencies, and in the Islands of Newfoundland, Prince Edward, Cape Breton, Bermuda, &c., &c., &c.

May it please your Excellency.

Your Memorialist though impressed with the sentiment that the present urgency of time leaves to your Excellency few moment to be spared on private concerns, yet is emboldened to recall to your Excellency's consideration the representation lately made to your Excellency, by your Memorialist of having been omitted in the promotions of the Militia of Three Rivers. Your Memorialist having been informed by an indirect but credible channel, that

[1] "The Jewish Encyclopedia," New York, 1904, vol. vi, p. 242.

Colonel Coffin's objection to your Memorialist being promoted *was*, that it would give dissatisfaction to people in general and more particularly to the Roman Catholics on account of your Memorialists's Religious Profession Your Memorialist conceives it to be his duty to submit to your Excellency that this objection (if made) is without the least foundation and a misrepresentation.

Your Memorialist begs leave to refer your Excellency to the enclosed certificate from the Hon. L. C. Foucher[2] Judge of this District and Lieut. Colonel of this Division, from the Rev. Francois Noiseux[3] Grand Vicar of this District, from the Revd. Doctor Short[4] and as well one Signed by Major Courval and the Officers and Privates of this Town.

To prove how insincere has been Colonel Coffin in his representation Your Memorialist will point out to your Excellency a public fact, that your Memorialist's Brother Ezekiel Hart[5] was twice elected a Member of the House of Assembly and once to the exclu-

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[2] Mr. Benjamin Hart m'ayant demande si je connaissais qu'il existat contre lui des prejuges parmi les canadiens en raison de sa religion ou autres motifs, que (lui a-t-ou dit) était la cause qu'il avait pas été commissionne dans la milice, et desirant avoir mon témoignage à cet égard, j'atteste n'est pas a ma connaissance, que tels préjugés existent, mais qu'au contraire de pius environ des ans que je demeure dans la même ville que Monsieur Hart l m'a paru generalement être aimé, J'atteste de plus que sa conduite m'a toujours paru celle d'un loyal et zele sujet de sa Majesté. En foi de qui j'ai lui donné son requisition le present certificat.

Aux Trois Rivieres, ce 25 Août 1812. L. C. Foucher.

[3] Je sousegné certifie depius que seize ans que je reside aux Trois Rivieres, que j'ai toujours reconnu Mr. Benjamin Hart avec qui j'ai souvent en des affaires, pour un honnête marchand, bon citoyen et bon serviteur de Roy. Aux Trois Rivieres, le 25 Août 1812, F. Noiseux, Vic. Gen. et cur, de la vil.

[4] R. F. Short, acting Chaplain to the Garrison at Three Rivers and Rector of the Protestant Episcopal Church of Three Rivers, writes the Governor on behalf of Hart, as follows:

"Inasmuch as Mr. Benjamin Hart has requested a testimony from me as a merchant and a citizen, I certify that I have been in the habit of dealing honorably with him nearly twelve years nor in all this time I have found him to be irregular or unaccustomed, nor has anything occurred to my knowledge to justify any calumny against him or his loyalty as a citizen."

[5] Another son of Aaron Hart, see p. 43, *supra*.

sion of Col. Coffin himself. And to show to your Excellency how inconsistent is this representation of Col. Coffin with his own conduct, your Memorialist will recall to your Excellency's memory, that but lately Mr. Isaac Phineas was promoted as Ensign in the Division under Col. Coffin though of the same Religious persuasion as your Memorialist.

If Col. Coffin made such a representation he followed only the dictates of some private resentment against your Memorialist.

Your Memorialist in making this application for a Commission is induced by his zeal and loyalty in supporting the cause of his King and Country, and whatever may be your Excellency's pleasure, your Memorialist will feel gratified in having expressed the truth to your Excellency.

And your Memorialist as in duty bound will every Pray.

BENJAMIN HART.

Three Rivers, 26th August, 1812.

Nous les Soussignes certifions que nous n'avons aucune objection ni repugnance a servir dans la Milice avec Mosr. Benjamin Hart soit comme officier ou autrement, Trois Riviere, Août 26 me, 1812.

Joseph Crevier,
Joseph Mominy,
Jean Brinneque,
William Hardie,
Wm. Barnet,
Joseph Laveaux,
Joseph Niverville,
James Wilson,
Augustin Hamelin,
J. Badeau, Capt.
E. LeBland, Lieut. aid. Major g. Champlain,
J. L. Bellefeuille, Cappitaine du Cap. E. S. Dumoulin.
Edouard Guillet,
Pierre Defosse,
W. Anverson,
Cha. Thomas
Claude Pratte,
James Field,
Alexis Brinneque,
Mos. Nelson,
Chas. Duplessis,
John P. Bostwick,
Francois Toupin,
Charles Lafrenaye,
Ant. P. deCourval M. J.
Berthelot, Capt.
C. R. Ogden, Ensign & O. M.
Alexis Rivard,
F. J. LeProust,
Jos. Turcot,
T. Rochelau,
Joseph Pratte,
George Graves,
Laurent Baron,
James Russell,
Noel Pratte,
Joseph P. Bostwick,
Francois Gareau, fils.
G. Arnoldi,
M. D. Pratte C. P.
J. G. de Tonnancour, Lieut.
Geo. Cartier, Surg. Mil.
Rene Kimbert Lieut.
Cyrus Eatman,
Wm. Walker.

On September 23, 1812, Benjamin Hart received a letter from the Governor that his petition would receive the necessary attention, and that he would be informed as to the Governor's decision. On the 29th he replied to the effect that he hoped that the Governor would do him justice and not be prejudiced against him because of his being a Jew. He especially hoped that the Governor would pay little attention to Colonel Coffin's letter

> for your Excellency well knows that should I have failed by merit I would gladly have become a volunteer in the line, rather than apply for a commission. But inasmuch as I am a very loyal subject I would rather seek a commission. I have been informed, your Excellency, by several of the militia, that Colonel Coffin had remarked that he had advised me to join the volunteers and train three times a week, but this advice was given to me while I was sick and could not avail myself of that opportunity. I was also informed recently that I was undesirable because I was a Jew, yet I have sent you a number of names of the militia who are very willing to serve with me in the ranks.

The subject remained unadjusted for some time, and no final decision is recorded anywhere. His case must have been pigeonholed, for, in the records of the various commissions given out between 1811 and 1840,[6] I do not find the name of Benjamin Hart, while, on the other hand, I find the names of Ezekiel and Samuel B. Hart.

[6] *The Quebec Almanac* and *The British American Royal Calendar* for the period.

THE SEPHARDIC CONGREGATION OF BALTIMORE.

By Benjamin H. Hartogensis, A. B.

Baltimore had a Sephardic congregation at the middle of the nineteenth century, and to it Rev. Isaac Leeser gave his solicitous care. It was important, not so much in itself, but because of its influence on the local Jewish community, in the establishment of religious schools and other organizations. The well-known Cohen family acted as its sponsors. When the widow of Israel I. Cohen in 1808 came up from Richmond, Va., her sons held services privately in their home according to the Sephardic *Minhag;* because the family had attended worship with the Spanish and Portuguese Jews in that city. So it happened that those three famous scions of this family, so rich in communal achievement, Jacob I. Cohen, Jr., Dr. Joshua I. Cohen, and Col. Mendes I. Cohen, formed the nucleus around which a congregation was to develop.

Leeser had long had a watchful eye on Baltimore[1] and its religious schools; later he began with the congregations. In September, 1845, he helped to dedicate the new synagogue of the Baltimore Hebrew Congregation (*Nidche Israel*) assisting together with Rev. Dr. Samuel M. Isaacs, of New York, and the local rabbis, Revs. Abraham Rice and A. Ansell (*The Occident,* vol. iii, p. 361). He took note of the dedication of the Friendship Hebrew Congregation of Fell's Point on the 15th day of September, 1848 (*ibid.,* vol. vi, p. 371). From *The Occident* (vol. xiv, pp. 354, 404) we learn that in 1856

[1] Hon. Mayer Sulzberger writes me on this point: "The interest of Mr. Leeser in all Jewish affairs everywhere is well known. His early years in America were passed in Richmond, Va., and he ever retained a warm, affectionate interest in the South and its affairs, civil, religious and Jewish."

steps were being taken to form a Portuguese Congregation at Baltimore, and that Mr. Leeser was deeply interested. Finally on invitation, he came to the city, two days before *Kippur* in 1856 in order to conduct the services according to the Portuguese *Minhag.* They were held in the hall of the Hebrew Young Men's Literary Association. Both the Lloyd Street and the Eden Street Congregation lent *Sepharim.* Philip Emmerich acted as *Shamas.* Mr. Leeser comments that this was the first time since the beginning of the century, except privately, that prayers had been said in Baltimore according to the Sephardic *Minhag.*[2]

A meeting was held for the purpose of organizing a Portuguese Hebrew Congregation and to found a free school for teaching Hebrew and English. A list was left by Leeser with Solomon N. Carvalho, soon to be the leading spirit in the movement. From *The American and Commercial Advertiser* of October 8, 1856, it appears that "Rev. Leeser, editor of the *Accident* (*sic*)," was to preach that night at the hall of the Jewish Literary Association at the corner of Gay and Fayette Streets.[3]

A letter to *The Occident* (vol. xiv, p. 448) signed "Israelite," says that on *Sabbath Bereshith,* 1856, services began regularly with the assistance of the two other local congregations, the *Torah* being read by Mr. Viele, a Hebrew teacher of the Lloyd Street Congregation, and that Rev. H. L. Jacobs, of Richmond, Va., was to preach on the 22d of the month.[4]

[2] Mr. Leeser writes that he preached before *Neilah;* and further that on the following Sunday afternoon, he addressed the Young Men's Literary Association, Solomon Brown, president.

[3] *The Occident,* vol. xiv, p. 404. He left for home, Monday, October 13, 1856.

[4] *The Occident* (September, 1857, vol. xv, p. 305) tells of the final organization being perfected, the rental of a hall with a seating capacity of 600, together with many details as to the building; also of the expectation of dedicating it on the 10th or 12th of September. Mr. Leeser adds: "Rev. Mr. Jacobs and myself have been invited for the purpose."

Leeser's fond hopes now materialized and on Wednesday, September 16, 1857, with great *eclat,* he assisted in dedicating the Sephardic Synagogue, *Beth Israel,* at Red Men's Hall, 24 North Paca Street. *The Baltimore American* had a long, detailed account of the imposing ceremony held in the presence of 500 persons, including public dignitaries, members of Congress, and not a few Christians. Rev. Solomon Jacobs, of Philadelphia, assisted Mr. Leeser and preached the principal sermon. He also demanded the opening of the door. The bearers of the *Sepharim* were Rev. H. Hochheimer and Dr. Aaron Ginsburg, of the Eden Street Congregation, Rev. L. Heilner, *chazan* of the Lloyd Street Congregation, Rev. A. Lisner, *chazan* of the Gay Street, now Eutaw Place, Congregation, Hirsh Preiss, *Parnass* of the Lloyd Street Congregation and Messrs. Leeser and Jacob M. DeSola, the last named "at present engaged as *chazan.*" The musical program was of an elaborate character, a symphony being performed on a melodeon lent for the occasion by Mr. Gaehle, the manufacturer.[5]

Solomon N. Carvalho composed a special hymn for the occasion. The *American* reported that one feature in this synagogue is worthy of mention, "the discourses preached will be in the English language, whilst the congregation consists largely of persons born in this country."[6]

The officers of the new congregation were S. Etting,[7] Presi-

[5] Under the leadership of Prof. J. F. Petri (of the Cathedral Choir) the leading numbers were sung by a choir consisting of Miss Josephine Etting, Miss Karthaus, and others of acknowledged talent.

[6] A full account, based on the above, adding some details, also appeared in *The Occident,* vol. xv, p. 355, and a less reliable account in *The Baltimore Sun,* September 17, 1857.

[7] This was Samuel Etting, father of Miss Josephine Etting, *infra. The Israelite* (vol. iv, p. 84) mentions the name of Friedenwald as one of the officers. This must have meant Jonas Friedenwald; but it is hardly likely because he was at the time closely identified

dent; David Judah, Vice-President; Jacob I. Cohen, and David N. Carvalho.

A *Succah* was erected, according to *The Occident,* in the yard of the synagogue, the first public one ever erected in the City of Baltimore. "Israelite," the Baltimore correspondent of *The Occident,* mentioned above, says at this time (1856) there were in the city 8000 Jewish souls.[8] Thanks to Mr. Leeser's tireless energy, the first fruits of Sephardic activity in Baltimore were the establishment, mainly through the ladies of a Hebrew Sunday school after the model of the one at Philadelphia. The editor notes that there was a religious school conducted by Dr. Aaron Ginsburg and that he had sent over a collection of school-books such as were in use in Philadelphia. Mrs. Carvalho had taught there in the school established by Rebecca Gratz.

A school for the study of Hebrew and English subjects had been opened in 1851[9] by Rev. Solomon Jacobs, and it had 53 pupils in 1853. In December, 1856, a regular Sunday school was organized and commenced regular exercises with 72 scholars. Rev. Isaac Leeser came over and made an address at Philomathean Hall,[10] on Lexington Street. The *American* (December 6, 1856) spoke of it as being under the supervision of "lady volunteers."[11]

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with the affairs of the Baltimore Hebrew Congregation and lived with his family, far away from the new synagogue.

Carvalho was an artist of great celebrity as a portrait painter.

[8] *The Occident,* vol. xiv, p. 448.

[9] Greenstone, "Jewish Education in the United States" in *American Jewish Year Book, 5676;* see *The Occident,* vol. x, p. 171.

[10] Mr. Jacob I. Cohen, who kindly read this proof, said that this must have been Morrison's Hall, a pretentious school building, entered by a wide alley at the side of Cowman's store, and then used by Jews for Sunday school purposes. The site is now covered by the Fidelity Building. Mr. Cohen added that Philomathean Hall was at the northeast corner of Fayette Street and Crooked Lane.

[11] The United Hebrew Select School was founded, according to *The Occident* (vol. xi, p. 235), by 22 gentlemen, the commencement

In January, 1857, the Baltimore Hebrew Sunday School Association was organized with the following officers: president, Sarah N. Carvalho; vice-president, Josephine Etting; 2d vice-president, Mrs. S. Grinsfelder; treasurer, Miss Julia N. Carvalho; secretary, Rachel E. Cohen; directors, Miss Richea G. Etting, Mrs. Rosa Stern, Catharine Cohen, Mrs. L. Hammerslough, Mrs. Israel Cohen, and Sarah Heilbrun. Mr. Edward Cohen was the corresponding secretary.[12]

This Sunday school did much for the Jews in Baltimore; thus, many leaders of the last generation in the German Jewish community (not a few of them still alive and active in 1914) were among its pupils and some of them became its teachers. It will be noted, too, that Mrs. S. Grinsfelder, the vice-president, was president of the Hebrew Ladies' Sewing Society. She died recently (1914) after more than 50 years of activity. Miss Josephine Etting, another vice-president and the kinswoman of Rebecca Gratz, died recently (1914) and was buried at Philadelphia in the Gratz family-plot. Jacob I. Cohen, Esq., a pupil, later taught at the school; and Moses R. Walter, Esq., once a pupil, was later on with others in charge of an important Sunday school of their own.

Leeser reports that the Sephardic Congregation at the out-

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taking place on September 20, 1852. Each paid $5 annually. There were teachers of English, Hebrew and religion, and aparently it was a parochial school. A. Rippey taught English and Rev. A. Brown, Hebrew, each receiving an annual salary of $400. Miss Slocry took charge of the female classes. At the beginning there were 39 pupils; at the time the note was written there were 70 pupils, of whom 40 were boys between the ages of 7 and 13 years, each of whom paid $1.50 per month, and, in addition thereto, 12½ cents for books and stationery.

[12] It was chartered on May 14, 1857, by Mrs. Carvalho, Mrs. Harriet Cohen, and the Misses Josephine Etting, Rachel E. Cohen, Sarah Heilbrun, Catharine Cohen and Miriam Cohen. See Charter Records, E. D. 3, p. 198, *The Occident*, vol. xiv, p. 493. Mrs. Harriet Cohen was the widow of David I. Cohen, and the mother of Miss Bertha and Mendes and Jacob I. Cohen, still (1914) alive.

set took a three years' lease of its building. Its hold was never very strong, principally because there were not enough *Sephardim* at Baltimore to maintain it. The Cohens never discontinued family worship at their residence on North Charles Street; the congregation frequently had to procure its *minyan* from German Jews who lived or conducted shops in the neighborhood. It never took out articles of incorporation from the state.[13] Later on there came dissension mainly with Mr. Viele, who read from the *Torah*. He was followed in this office by Henry S. Hartogensis, an *Ashkenazi,* who recently (1914) celebrated his 85th birthday anniversary at Baltimore. Mr. S. N. Carvalho continued to be *chazan* and the leading spirit in the congregation. When he left to take up his residence at New York City, the congregation expired.[14]

[13] Under the General Act of Assembly of 1852, this was easily arranged for and at a small cost; yet I have searched the records in vain for a charter for the new congregation. Many other Jewish organizations took out articles of incorporation at that time, among them Rodeph Scholem Congregation of Baltimore City, chartered October 8, 1857 (E. D. 3, p. 79) with M. Bonheim as president, other incorporators being Abraham Breslauer, Louis Waisenbach, Abraham Myer, M. S. Wolf, Myer Alexander, B. Rose and I. L. Wasserman. This congregation passed out of existence without leaving a mark; another organization like in character, and also ephemeral, was the Young Men's Hebrew Association of that day.

[14] The congregation lasted from 1857 to 1860 according to Henrietta Szold in "The Jewish Encyclopedia," vol. ii, p. 480. It was commonly supposed that the congregation had its own cemetery. There are two such private cemeteries pointed out: that of the Etting family, on West North Avenue, near Pennsylvania Avenue, and that of the Cohen family, on Saratoga Street, near Carey Street.

WILLS OF EARLY JEWISH SETTLERS IN NEW YORK.

Contributed by Lee M. Friedman.

Some years ago the New York Historical Society prepared abstracts of the wills filed between 1665 and 1796 in the Surrogate's office of the County of New York.[1] An examination of these volumes discloses the fact that amongst these wills there were twenty-two wills of early Jewish settlers. In addition, six wills were filed where non-resident Jews had estates in New York which necessitated ancillary administration there.

The wills of these Jews are now presented here. Some interesting data is to be gathered from them. Two are the wills of women. The will of Uriah Hyam described the testator as a chandler. In all others, with the exception of two which omit all description, the testator is designated as a "merchant." Ten of them contain bequests varying from a gift of a *Sefer Torah* to gifts of money from £5 to £50 to the Shearith Israel Synagogue. The wills of the Gomez family, Luis, Mordecai and David, each seem to make a special point of the Hebrew books that are bequeathed. Two wills, those of Joseph Bueno (1708) and Sinya De Tores (1746), left legacies to the poor Jews of New York.

The wills are marked by great simplicity and none of them gives evidence of disposing of very considerable wealth. On the other hand, they do show very widely scattered interests throughout the American continent. They also show that many of these early Jewish settlers were slave owners. Several

[1] "New York Historical Society Collections, 1892-1905," Abstract of Wills, vols. i to xvi, cited below by volume and page after each item. I wish to thank Miss Elfrida Cowen for her assistance.

of the wills contain provisions for the manumission of a favorite slave on the death of the testator. They also indicate the friendly relations existing between these Jews and their non-Jewish neighbors. Some of the wills indicate early intermarriages, and all must prove useful to trace family kinship, besides indicating the lines of early Jewish activity in New York.

For letters of administration on and inventory of estate of Asser Levy, see *Publications of the American Jewish Historical Society*, No. 8, p. 22, (vol. i, pp. 112, 123, 124).

Inventory of estate of Judah Samuel, recorded at the request of Moses Levy, administrator. Hebrew Bible. 5 Hebrew books, total amount £150. Exhibited by John Bridges as a true and perfect inventory, September 2, 1702, (*ibid.*, p. 310).

Inventory of estate of Joseph Nunes, of New York. Taken by Mr. Paul Droilett and Mr. Lewis Gomez, executors, October 8, 1705. 1 otter skin, 5*s.* 6*d;* 42 dozen Jews Harps, at 12*d* a dozen, £2, 2*s.* Total amount £695, 18*s*, (*ibid.*, p. 322; vol. xvi, p. 35.)

Whereas Judah Samuel of New York, lately died intestate, leaving behind him one son Isaac Samuel, aged two years, Letters of administration are granted to Moses Levy, February 23, 170⅔, (vol. i, p. 363).

Joseph Brown. Know all men by these presents that I, Joseph Brown, inhabitant in the city of New York, have by these presents made, ordained and constituted my trusty and loving friends, Joseph Bueno and the widow Esther Brown, both residing in New York, my true and lawful attornies, to collect and receive all goods and monies which shall be due to me and to act in my stead in all matters. I have signed these in my perfect mind and understanding. And considering the mortality of this transitory life, I make and declare these presents to continue my last will and testament. That is to say, I leave to my brother David Brown, and to my cousin Josias Brown, son of the widow Esther Brown, and to my niece, Rachel Sarphatine, all my estate real and personal. And I make Joseph Bueno and Esther Brown executors.

Dated August, 1704. Witnesses: Isaac Granada, Samuel Levy. Proved before Samson Shelton Broughton, Esq., November 21, 1704, (*ibid.*, p. 399).

Isaac Rodrigues Marques. In the name of God, Amen, the 17th October, 1706. I, Isaac Rodrigues Marques, of New York, mer-

chant, being of perfect remembrance, and bound on a voyage to Jamaica, in the West Indies. It is my will that my dear mother, Rachel Marquise, be maintained out of my estate and live with my wife and children; but if she cannot agree with them or likes to live by herself, she is to receive £50, and a good servicable negro woman shall be purchased for her. And I hereby give a strict charge to my wife and children to be dutiful to my said dear mother. I leave to my daughter Esther, £50 to buy her a jewell when she is of the age of 18, or marries with her mother's consent. The rest of my estate I leave to my wife Rachel, my son Jacob and my daughter Esther. The part of my estate which is left to my children, is to be put into the hands of Mr. Aaron La Megroa, merchant, in Jamaica, who shall be supervisor over my children. I desire Mr. Lewis Gomez and Mr. Abraham de Lucena to assist my wife in the management of all her affairs, and I make her executor.

Witnesses: William Peartree, Ebenezer Willson, Rip Van Dam. Proved, March 24, 170 $\frac{6}{7}$, (*ibid.*, p. 439; vol. xvi, p. 48).

Joseph Bueno. In the name of God, Amen. I, Joseph Bueno de Mesquita, of New York, merchant, being at the present sick in bed. I leave to my wife Rachel, daughter of Rachel Dervall, £600, and all plate and household stuff, and all her wearing apparell, rings, jewels, necklaces, etc. I leave to my beloved brother Abraham Bueno de Mesquita, of the Island of Nevis, my Five Books of the Law of Moses in parchment with the ornaments of plate belonging thereto. In full of all his pretentions and demands to my estate. I also give him £161, 2s, 3d, which he now oweth to me. I leave to my mother-in-law, Rachel Dervall, £50, and to my brother-in-law, Samuel Dervall, £50 when of age. To my godchild, Asher Camponell, £20. To the poor of the Jewish nation in New York, £20. All the rest of my estate is to be sold, and the proceeds to be given to the children of my brother Abraham, and the children of my sister Esther, deceased wife of Isaac Gaby. [I do] appoint my wife Rachel, Lewis Gomez and Abraham De Lucina, executors.

Dated October 20, 1708. Witnesses: Abraham Kettletas, Hendrick Kermer, Johanes Bonta. Proved, November 1, 1708, (vol. ii, p. 13; vol. xvi, p. 54).

Richard Ingoldsby, Esq., Lieutenant-Governor, etc. Whereas, Isaac Pinheiro, of New York, lately died intestate, Letters of administration are granted to Lancaster Symes, John Cholwell and Isaac Gabay, of New York, merchants, in trust for the widow of said Isaac Pinheiro, February 20, 170 $\frac{9}{10}$, (vol. ii, p. 38).

Samuel Levy. In the name of God, Amen. I, Samuel Levy, of New York, merchant, being sick and weak. I leave to my wife, Rachell, all household goods, furniture and plate, except my silver tea-pot, and one of my silver tankards, which I give to my daughter Abigail. I leave to Miriam Hart, my brother's daughter, now wife of Moses Hart, of New York, £10, to buy a piece of plate in remembrance of me. I leave to my mother-in-law, Rebecca Asher, £10, yearly during her life. My executors are to pay to my brother, Joseph Levy, and his son, Isaac, of London, £200, to be distributed by them among such of my poor relations, living in Germany, as they may think fit. I leave all the rest of my estate to my wife Rachel, and my daughter Abigail, when she is of age. My shares in the Pinck *Charlotte* and sloop *Abigail* are to be sold. I appoint my loving kinsman, Isaac Levy, son of my brother Joseph, and my loving kinsman, Matthew Simson, and Jacob Franks, of New York, executors.

Dated, April 28, 1719. Witnesses: Lawrence Levy, Joseph Isaacs, Mordecai Gomez. Proved, May 21, 1719, (*ibid.*, p. 189).

Wiliam Burnet, Governor, etc. Whereas Isaac Naphthali, of New York, having certain suits against him in Court by one Jacob Nunes Fernandes, and Moses Levy became his bond. The said Naphthali absconded and left the Province, and Moses Levy became obliged to pay £113, 11s, 6d and costs. "And said Naphthali died some years ago in parts remote." Whereupon Moses Levy is appointed administrator, November 10, 1721, (*ibid.*, p. 241).

In the name of God, Amen. I, Abraham de Lucena, of New York, merchant. By God's Grace proceeding on a voyage to Jamaica, and considering the dangers of the seas, "I bequeath my soul into the hands of the Almighty God of Israel, my Creator, trusting in his mercy for pardon of all my sins, and hoping for a joyful Resurrection to Life Eternal." I direct all my estate to be divided into 6 parts, one part to my wife and the rest to my children, Moses, Samuel, Esther and Judith. And I make my wife Rachel executor.

Dated February 12, 1716. Witnesses: J. Van Cortlandt, Philip French, Frederick Van Cortlandt. Proved September 21, 1725, (*ibid.*, p. 319).

Rip Van Dam, Esq., President, etc. Whereas David De Mercado, of New York, died intestate, Letters of administration are granted to his brother, Moses de Mercado, December 21, 1731, (vol. iii, p. 44).

William Cosby, Esq., Captain-General and Governor. Whereas

Benjamin Elias, late of New York, died intestate, Letters of Administration are granted to Abraham Isaacs, of New York, merchant, December 29, 1732, (*ibid.*, p. 88).

In the name of God, Amen. I, Michael Michaels of New York, merchant, being weak in body, I leave to Rachael Levy, daughter of Moses Levy, late of New York, merchant, £300. All the rest of my estate I leave to my honored father, Moses Michaels, merchant, and I make him and Meyer Cohen and David Hays executors.

Dated February 12, 1736. Witnesses: Elizabeth Carthew, Alexander Allaire, Richard Nichols. Proved, March 31, 1737, (*ibid.*, p. 222).

In the name of God, Amen. I, Rachael Lewis, of New York. I leave to David Machado, merchant, all my goods and chattels, except my household furniture, which is to be sold by my executors and the money used to purchase a Shefer Tora, for the use of Sherith Israel, in New York. I make my friend, David Machado, executor.

Dated April 8, in the 10 year of King George 2. Witnesses: Lewis Gomez, Rodrigo Deribera, William Jamison, Abraham Rirning. Proved, April 18, 1737, (*ibid.*, p. 223).

For the will of Luis Gomez see *Publications*, *supra*, No. 11, p. 143 (*ibid.*, p. 292).

Will of Uriah Hyam, now resident of New York, chandler. I leave to my brother Enoch, now living in Bohemia, £20. I leave to the youngest son of my son, Andrew Israel, who now lives in the Island of Jamaica, my negro boy. I leave to the Congregation of the Children of Israel, here in New York, £6. All the rest of my estate, I leave to my son, Andrew Israel, of the Island of Jamaica. I make my son, Andrew Israel, and Jacob Frankes and Mordecai Gomez, of New York, executors.

Dated November 1, 1740. Witnesses: Joseph Simson, David Machado, Joshua Isaacs. Proved, January 14, 1740. Andrew Israel being absent, and the other executors having resigned, Letters of administration are granted to Abraham Isaacs and Joseph Simson, as principal creditors, (*ibid.*, p. 320).

In the name of God, Amen. I, Samuel Myers Cohen, of New York, merchant, " being now bound on a voyage to England, and considering the dangers of the seas. I bequeath my soul to God who gave it, trusting, and alone depending on his mercy for my eternal salvation." I leave to my wife Rachel, all silver plate, and the furniture of my house, and all wearing apparel, and my negro

slaves. My executors are to sell all real estate, and £200 are to be put at interest for the support of my father Emanuel during his life. I leave to my three sisters, Esther, Rachel, wife of Solomon Bunn, and Bilah, each £25. To my niece, Rose Bunn, £100, when married with consent of my wife. I give £25 for the use of the Synagogue, now frequented and belonging to the People called Jews, and whereof I am a member. I leave to each of Mr. Jacob Frank's children, a mourning ring of the value of 40s sterling, and to Captain William Walton and his wife each a ring of the same value. To each of my executors £25 for a mourning suit. All the rest to my wife and my 4 daughters, Elkaly, Hiah, Rebecca, and Richa. I make my wife and my brother, Abraham Myers Cohen, Jacob Walton, William Walton, Jr., executors.

Dated August 11, 1741. Witnesses: Johanna Kallsall, Margaret Gouverneur, Anthony White. No record of probate, (*ibid.*, p. 405).

In the name of God, Amen. I, Joshua Isaacs, of New York, merchant, being in perfect health. "I desire my body to be buried in our Jews' burying ground in New York among my relatives and friends." "Whereas at the time of our marriage I gave my wife Hannah a Bill of Dowry for £500; it is to be paid." "I leave £50 to our congregation of Jews in New York, the income to be for the support of a Hebrew School to teach poor children the Hebrew tongue." I leave to each of my brothers and sisters £5 to buy mourning. I leave to my daughter Grace all the rest of my estate, but if I should leave any more children they are to have an equal share. I make Mr. Jacob Franks, merchant, of New York, Mr. Solomon Isaacs, of Boston, and Mr. Joseph Simson, of New York, executors.

Dated July 13, 1744. Witnesses: David Machado, Jacob Pinto, Samuel Pinto, Myer Myers. Proved, August 6, 1744, (vol. iv, p. 11).

George Clinton, Esq., Captain-General and Governor. Whereas, Abraham Isaacs, of New York, merchant, died intestate, Letters of administration were granted to his wife, Hannah, October 6, 1743. She died and new Letters of administration are granted to his eldest son, Jacob Isaacs, September 24, 1745, (*ibid.*, p. 55).

In the name of God, Amen. August 27, 1745. I, Isaac Levy, being sick. I leave to my daughter Ritzy, of New York, £300. To my grand children, Joseph Moses, Coleman Coleman and Byla Coleman, £200. To my nephew, David Hart, £300. All the rest of my estate to my daughter Ritzy, and my nephew, David Hart, and I make them executors. Legacies to Mary Drummy, widow, Mary Cannon.

Witnesses: David Machado, Job Staple, Elinor Mass. Proved, September 10, 1745, (*ibid.*, p. 56).

In the name of God, Amen. I, Sinya De Tores, late of Jamaica in the West Indies, widow, being infirm and weak of body. I bequeath to the Treasurer of the Synagogue in New York, £5. "I direct that my body be decently buried according to the manner of the Jews." I leave to the Poor of the Synagogue of Kingston, in Jamaica, £5; and to the poor of my nation in New York, £5. I leave to my brother, Samuel De Silva, £5. I leave to my niece Rebecca De Silva, daughter of my brother Samuel, one negro girl to the value of £15 to be purchased by my executors. I leave to my niece Rachel, daughter of my brother Josiah De Silva, one negro girl to the value of £15, to be purchased by my executors. To my niece, Sinya De Silva, daughter of my brother Joshua, a negro girl. All the rest of my estate, real and personal, I leave to my grand son, Moses Gomez, son of Daniel Gomez, of New York, merchant. If he should die before coming of age (which God forbid) then to my son Daniel Gomez. I make my son Daniel, and my grand son Moses, executors.

Dated February 16, 174⅔. Witnesses: David Gomez, Daniel Bontecou, Samuel Burling. Proved, November 13, 1746, (*ibid.*, p. 103; vol. xvi, p. 160).

In the name of God, Amen. I, Mordecai Gomez, of New York, merchant, being in good health, "I commit my precious and immortal Soul into the hands of God who gave it, and my body to the Earth, to be buried in the Jews Burying ground according to the Jewish Custom." I direct all debts to be paid. I leave to my beloved wife Rebecca, all that my dwelling house and lot on the Dock [2] in the East Ward in New York, between the land of Daniel Bloom and the place now in the occupation of the widow of John Lawrence, and is now in the tenure of Lawrence Burrows, as my tenant, during her life, and then to my sons Abraham and Moses, and my daughters Hester and Rachel. I leave to my son Isaac, my Five Books of Moses, and one pair of silver ornaments thereto belonging, weighing about 30 ounces. I leave to my grand daughter Hester Gomez, now in Jamaica, West Indies, daughter of my son Moses, deceased, £100; I also leave her ⅛ of my dwelling house and lot and store house (the water Lot excepted) where I now live in Queen Street, in New York, bounded east by the house of late John Stephens, deceased, and west by the house now in

[2] Water Street between Wall Street and Maiden Lane.

occupation of William Bradford, Jr., and south by the East River or harbor, and which did belong to my deceased wife, Hester Gomez. The other ⅔ I leave to my sons Isaac and Jacob. My wife Rebecca is to have the use of the whole for one year. I leave to my sons Isaac and Jacob all that my dwelling house and lot situate and lying in the Sloat,[3] which I purchased of Sarah Hyer, widow of Garett Hyer; also my three negro slaves, and my two Snuff mills and ½ my household stuff except plate, and the other ½ to my wife Rebecca. To my wife Rebecca, and my sons Abraham and Moses, and to my daughters Hester and Rachel, certain negro slaves. I leave to my sons Abraham and Moses and my daughters Hester and Rachel, all those my 5 houses and lots in the North Ward in New York, containing in breadth, from Kip Street[4] and Anns street, 90 feet by 204 feet; also a house and lot in Dey street, bounded south by the rope walk of Evert Pell, east by Abraham Gorden, west by John Ryckman, north by Dey street, and now in tenure of Abraham Lyon, being 14 feet wide and 80 feet long. I leave to my mother-in-law, Rachel De Lucina, £10 per annum, for life. I leave to the manager or Ruler of the Synagogue in New York, £25 for the use of the Synagogue, to be paid in one month. All the rest of my estate to my wife and children. I make my wife and my son Isaac and my four brothers, Daniel, David, Isaac, and Benjamin Gomez, executors.

Dated May 3, 1750. Witnesses: Sarah Griffiths, Mary Cadmis, Cornelius Cadmis, James Emott. Proved, November 12, 1750, (vol. iv, p. 310).

For the wills of Philip Isaacs, see *Publications*, *supra*, No. 12, pp. 166, 167 (vol. v, p. 96); of Abraham Mendes Seixas, see *idem*, p. 166 (*ibid.*, p. 115); and of Solomon Isaacs, see *idem*, p. 167 (*ibid.*, p. 179).

To all and Singular, the Faithful in Christ. I, Thomas, by Divine Providence, Archbishop of Canterbury and Primate of all England. Be it known that in searching the Registry of the Prerogative Court, was found among other things, that on the 27th of November, 1762, at London before the Worshipful Andrew Cotter Du Corel, LL. D., Surrogate to the Rt. Worshipful Sir Edward Simpson, Kt., LL. D., Master keeper of our Prerogative

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[3] The Sloat was a narrow street at the rear, of the lots on Hanover Square. The present Beaver Street includes a part of it.

[4] The lots on Kip Street are now bounded West by Nassau Street, North by Ann Street.

Court, the last will and testament of Aaron Harte, late of the Parish of St. Mary, White Chappell, was found, and Letters granted to Nathan Soloman and Barent Gomperts, executors.

In the name of God, Amen. I, Aaron Hart, of New street, alias Somerset street, White Chappel, London, merchant, being of sound mind. "I desire to be buried in Linnen and to have a Herse, and four mourning coaches and 6 others. And a marble stone shall be put on me to the amount of £10 or £12. And I desire and order that 10 persons may come to read, every morning and evening for one month after my decease, for which my executors shall give them 20 shillings each." After all debts are paid, I leave to my daughter, Rachel Hart, £600 for a marriage portion provided she marries with consent of executors. If she dies, then to my 3 sons, Napthalai, Hyam and Samuel. To my wife £600, £369 of which is in New York, and the rest in cash; besides all the furniture except silver plate. "I leave to my wife a silver tea pot and a silver cofee pot and a small silver tea equippage." I leave to each of my three sons £600 when of age. I leave to the two single children of Mr. Simon Jonas Levy, which he had by my sister Bayla, £20 each, and to his married daughters £5 each. To Mr. Moses Myer and wife 12 Guineas. To Mr. Benjamin Alexander, Jr. 5 guineas. To Mrs. Rose Cohen, my wife's mother, £20 and £5 for mourning. To my servant a mourning gown. All the rest to my sons when of age. My children are to live with their mother. All my estate to be sold and money put at interest. I make Nathan Soloman and Barent Gomperts executors. Dated November 21, 1762.

Witnesses: Joseph Jacobs, Phineas Nelto. Proved in London, November 27, 1762. Confirmed in New York by Governor Colden, September 17, 1763, and Letters of administration are granted to Ackeson Thomson, merchant of New York, attorney for Nathan Soloman. "The executors being both beyond seas," (vol. vi, p. 266).

In the name of God, Amen. I, David Gomez, of New York, merchant, being of perfect mind. "I committ my Soul to Almighty God my Creator. I humbly resign my body to the Earth." "I leave to my brother, Isaac Gomez, my part of the silver ornaments or Remeniems of the Five Books of Moses which I had by my deceased wife out of the estate of my mother-in-law, Mrs. Lebonah De Lyon." I leave to the Synagogue of this city £10. All my estate to be sold. I leave to my nephew Matthias Gomez, son of my brother Isaac, £150. After legacies are paid, I leave to the rest of

my brothers, Daniel, Isaac and Benjamin, each ¼, and ¼ to my niece Esther, wife of Moses Gomez, son of Daniel, and to my niece Rachel, wife of Matthias Gomez, son of Isaac, and to Mordecai Gomez, son (?) of Isaac Moses, Jr., deceased. And I make my brothers executors.

Dated April 5, 1765. Witnesses: William Butler, Thomas Pearsall, James Parsons. Proved, August 14, 1769, (vol. vii, p. 270).

In the name of God, Amen. I, Isaac Gomez, of New York, merchant, "being in as good state of health as I have been for some time past, but of sound mind." I recommend my immortal Soul to the mercy of my Great Creator, and my body I committ to be decently interred. After all debts are paid, I leave to my wife Deborah an annuity of £150 yearly during her widowhood and the use of my dwelling house and lot in Queens Street, where I now dwell. Also all furniture, plate and jewels and as many of my slaves as are necessary to attend her. After the death of my wife I leave to my daughter Esther £600 and ½ of the plate and jewels "except the silver ornaments belonging to my five books of Moses, called by us Rimonaim." I leave to the Ruler of the Jewish Synagogue in this city £15 for the use of the Synagogue. All the rest of my estate I leave to my son Matthias, and I make him executor. Dated February 16, 1769.

Witnesses: Jonathan Morrell, John Dunlap, merchant, Moses Smith, Proved, October 1, 1770, (*ibid.*, p. 337).

"New York, S.S." In the name of God, Amen. I, Benjamin Gomez, of New York, merchant, being in perfect health. "I commend my Soul to God, my Body to be decently buried," and my debts paid. I leave to my granddaughters, Deborah and Esther, children of Matthias and Rachel Gomez, when of age, £100 each. I give and devise unto the Synagogue in New York £10, to be paid to the Ruler thereof in one month. I leave to my daughter Rachel, wife of Matthias Gomez, all my household furniture, plate, jewels, linnen, and my two slaves, and all the rents, and profits of my estate, during her life. After her death, all the money is to be put at interest, and I leave the same, and all my real estate to my grandsons, Isaac and Benjamin, sons of my daughter Rachel, wife of Matthias Gomez. "My trustee wench, Katty, is to be free from the yoke of Slavery, as a reward for her fidelity." I make my daughter Rachel, and her husband, Matthias Gomez, executors.

Dated January 3, 1770. Witnesses: Christopher Gates, Thomas W. W. Beavan, Gent., Elias Jones. Proved, September 22, 1772, (vol. viii, p. 63).

In the name of God, Amen. I, Isaac Adolphus, of New York, merchant. After all debts are paid, I bequeath to Benjamin Etting £25. To the widow, Hetty Hayes, £25. I leave to my executors for the use of the Synagogue in New York £10. My executors are to sell my estate, and after paying all debts, funeral expenses, and legacies, I leave all the rest to my brothers, Jacob, Philip, and Ezekiel, and my sisters, Esther Samuels, Minche Moses, Hannah Worms, and Gellah Abrahams, and my nephews, Moses Etting and Michael Israel. I make my brother Philip, and my good friends, Hayman Levy, Myer Myers and Isaac Moses, executors.

Dated September 7, 1775. Witnesses: John Berrien, merchant, John De Crimshier, attorney at Law, Benjamin Seixas. Proved, September 13, 1774, (*ibid.*, p. 197).

In the name of God, Amen, September 12, 1774. (Also mentions son Joseph.) I, Joseph Jacobs of Southampton, in Suffolk County, being very sick. All my just debts to be paid. I leave to my wife Elinor my now dwelling house and home lot; Also a piece of land lying at the Ten Acres, which I bought of Stephen Pierce; Also £50. I leave to my sons, Joel and Oliver, and my daughters, Eleanor and Prudence, each £100. All the rest I leave to my wife and my five children. The younger children are to have a home in my house till of age. I make my friend, Elias Matthews, of Southampton, executor.

Witnesses: Dr. William Smith, Zephaniah Rogers, Stephen Rogers. Proved, October 19, 1774, (*ibid.*, p. 221).

In the name of God, Amen. I, Isaac Pinheiro, of the Nation of the Jews, merchant, being sick and weak. My Body I commit to the Earth to be interred in the Burial Place belonging to the Jewish Nation of the Island of Nevis, and after their rites and ceremonies. I leave to my son Jacob, £250 when of age, and a negro boy, and a horse which he commonly rides, with a pair of pistols, holsters, saddle, and other furniture. To my son Moses, £100 when 18 years of age, and a negro boy. To my daughter Sarah, £500 Sterling at the day of her marriage. To my daughters, Rebekah and Judith, £500 each when married. I leave to my dear honored father, Abraham Pinheiro, of the City of Amsterdam, £30 annually during his life, and then to my dear mother-in-law [step-mother?] for life. I leave to my sister Sarah, wife of [Isaac] Dagama, of Corasoe [Curaçao], 100 Pieces of 8. To my sister, Rachel Pinheiro, of Amsterdam, £30. I leave to my sons Jacob and Moses, a certain Plantation by me lately purchased

of George Brown and Frances, his wife, and Sarah Madrin, being part of the Plantation formerly of Thomas Madrin. Also a Cafe [coffee] mill now standing on the Plantation by me leased from William and Richard Bowry, with 14 negroes. It is my express will that Jacob Sattur and Mary Sattur, his wife, now living in South Carolina, do sell her Plantation in this Island of Nevis, and that my executors purchase the same for my sons. And whereas by a deed of gift some years past, I gave to my son Jacob and my son Abraham, 7 negroes, 3 of whom are dead and lost by the late French invasion, and the other 4 are now in my possession, my son Jacob is not to disturb my executors in the peaceful possession of them. I leave to my wife Elizabeth (*sic*) the use of all the above named Plantation and negroes and mill, until my son Moses is of age. I also leave her the house and land I now own in Charlestown in this Island, and all the rest of my estate. If she dies, without disposing of the same, then to my children. If my daughters are not married at the time of my wife's decease, they are immediately to be sent to Curasoe [Curaçao] to my sister, Sarah Dagama, to live with her, and my brother-in-law, Isaac Dagama, is to be their guardian. I make my wife sole executor, and I request my friends, Captain Samuel Clarke and Solomon Israel, to be overseers.

Dated November 12, 1708. Witnesses: Evan Davis, John Hilton, John Carpenter, Gideon Dovrede. Proved in Nevis, April 12, 1710, (vol. xi, p. 1).

To all to whom these Presents may come, I, Esther Pinheiro, of the Island of Nevis. Whereas my late husband, Isaac Pinheiro, in his will made me executor, which will was proved before Walter Hamilton, Esq., Governor of Nevis, and whereas my husband died in New York, on February 17, last past, leaving divers merchandise, etc. I appoint my friends, Rip Van Dam and Louis Gomez, of New York, my special attornies.

April 19, 1710. Witnesses: John Woodly, John Thatcher, (*ibid.*, p. 3).

In the name of God, Amen. I, Moses Levy, of New York, merchant, being sick. All debts to be paid. I leave to my son, Asher Levy, one silver mugg, of the weight of 20 ounces. To my daughter Miriam, £100 when of age or married, over and above her share. I leave to my grandson, Napthtaly Franks, one piece of silver plate, of the value of £12. All the rest of estate I leave to my wife Grace, and to my sons, Nathan, Isaac, Michael, Sampson, Benjamin, and Joseph, and to my daughters, Rachel, Miriam, Hester,

and Hannah. The shares of Nathan, Isaac, and Michael, are to be paid in 5 years, and the rest when of age or married. But if my wife shall not be contented with her share, but shall insist upon the performance of certain Articles of Agreement, made by my wife, Grace Levy (then Grace Mears), and Jacob Mears, before our marriage, then my executors shall pay to her in 5 years, such sums of money and plate, as by said Articles are agreed. I make my wife and my sons, Nathan and Isaac, and my son-in-law, Jacob Franks, and my brother-in-law, Judah Mears, executors.

Dated June 13, 1728. Witnesses: Matthew Clarkson, Richard Nichols, Moses Lopez Fonseca. Proved December 4, 1728, (*ibid.*, p. 72).

In the name of the God of Israel, I, Matthias Gomez, merchant, of the Township of Northern Liberties, County of Philadelphia, in Pennsylvania, being sick and weak in body. To be decently interred according to the order of the Jews. All my just debts and funeral expenses to be paid at some convenient time after my decease. I make my loving mother, Deborah Gomez, my brother-in-law, Moses Gomez, and his son, Daniel, executors. I leave unto my four children, Deborah, Isaac, Esther, and Benjamin, in equal shares, when they respectively are twenty-one years old, two third parts of a tenement and lot ground on Queen Street in the Fly in the City of New York; Also two tenements and lots on Golden Hill in said city; Also, one undivided half part of a distillery house and lot, with the stills and utensils, on Ferry Street in said city; Also, my house and lot on said Queen Street, which was devised to me by my late father, Isaac Gomez, deceased, after the decease of my mother Deborah. Unto my eldest son, Isaac, my Sepher, or five books of Moses, written on parchment, with Rimonims or ornaments of silver. My executors to let or demise all my real estate during the minority of my children for the best rents; these to be applied to the support of my loving mother Deborah, in lieu of an annuity of £150 given to her for life by my late father; Also, for the support and education of my children in non-age. Should the rents be insufficient, then my executors are to sell all or any real estate in the City of New York for the best prices, the net proceeds to be for the above purposes. The residue of my estate unto my four children at majority, in equal shares. I make my executors guardians of the persons and estate of my children in minority.

Dated April 20, 1781. Witnesses: Walter Bicker, of the City of New York, hatter; Samuel Cowperthwait, Thomas Franklin, junior. Proved, January 2, 1784, (vol. xii, pp. 154, 155).

I, Isaac Levy, of New York, do declare this to be my last will and testament. All my real estate of every kind and Denomination shall at my decease become the property of my son Asher and my daughter Esther, otherwise called Henrietta, as also my personal estate to both the same, "both borne of Elizabeth Pue," equally divided between them at the times they respectively become of age, on conditions hereafter mentioned. In case of the death of either my said son or daughter before aged twenty-one, I give my estate to the survivor, if both die before of age then to my brother, Samson Levy, and my sister, Rachel Seixas, wife of Isaac Seixas, equally. My will is that neither my son nor daughter shall marry or enter into matrimonial contract before the age of twenty-one years, but if either so do he or she shall have no share in my estate, but the share of he or she that doth marry or enter into matrimonial contract shall be given to the other that doth not marry contrary to my will; and if both marry or enter into matrimonial contract before twenty-one then I give my whole estate to my brother, Samson Levy, and my sister, Rachel Seixas. My executors are my said brother, Samson Levy, his son Moses, and my son Asher.

Dated October 22, 1776. Witnesses: Walter Shee, Benja. Condy, Edmund Nihell.

The Register for Probate of Wills, Philadelphia, certified November 8, 1785, that the above will was a true copy from the original filed in the office at Philadelphia. Administration of the above granted to Joshua Isaacs, of the City of New York, a creditor of Isaac Levy, formerly of the same place but late of the City of Philadelphia, merchant, deceased, whereas the executors, Samson Levy, Moses and Asher Levy are absent from this State, New York, November 16, 1785, (vol. xiii, p. 228).

Joseph Israel Levy, living in Calcutta, in the Kingdom of Bengall, to my daughter, Abigail Israel Levy, £1000, to be left in the hands of Abraham Levy, merchant, London, to be applied to the best advantage, that is, the money to be put to land interest and that interest for the use of bringing her up until she is twenty-one years of age; in case of her death, the money to go to my mother, and I also give to my mother, Rosey Israel, living in Houndsditch, near Aldgate, London, £500 more, and in case of my mother's and daughter's death, these moneys are to go to my brothers and sisters; Also £500 to the Jews' College in Jerusalem, and unto the poor widows and poor motherless and fatherless children in London, £200; Also to the mother of my child, named Jabica, five hun-

dred Rupees, and two slave girls and the garden and the house, with everything belonging unto her to be paid to her by my executors, and the other amount of all sum or sums of money, lands, tenements, goods, chattels and estate whatsoever, I give these to my brothers and sisters in London or elsewhere each to have equal share. I appoint Abraham Levy, merchant, in London, Charles Weston, Joseph Pallard and Robert Brown, executors.

Dated Calcutta, January 2, 1772, and in the twelfth year of his Majesty's reign, King George III. Witnesses: Anthony O'Brien, James Miller. Proved, April 27, 1786. The same day Moses Israel, gentleman, and on the 28th, Solomon Simson, merchant, both of New York City, testified that they were well acquainted with the testator's handwriting and believed he subscribed to the above will.

On April 28, 1786, the executors of the will were "absent beyond the seas" and Samuel Israel was appointed Administrator, (*ibid.*, p. 331).

JEWS INTERESTED IN PRIVATEERING IN AMERICA DURING THE EIGHTEENTH CENTURY.

By Leon Hühner, A. M., LL. B.

In times of war, privateering has proved a most potent weapon against the enemy and generally a lucrative venture for those interested as well. Throughout the eighteenth century it was carried on by some of the foremost citizens in the American colonies and during the Revolutionary War it was one of the most important factors which enabled the colonies to hold out against the mother country. It is but natural therefore that among the many names of prominent merchants of the period, who were interested in this method of warfare, there should be found the names of some Jewish merchants also.

Before proceeding, however, it might be well to have a clear idea of what is meant by "privateering."

A privateer was a ship armed and fitted out at private expense for the purpose of preying on the enemy's commerce to the profit of her owners, and bearing a commission or letter of marque from the government authorizing her so to do.[1]

The government usually claimed a portion of the money realized from the sale of prizes and their cargoes, while the owners, of course, had the lion's share, though a considerable portion was divided among the officers and crew, as an additional incentive to securing as many prizes as possible. In fact it was this division of the spoils, rather than the wages received, that induced many of our best seamen to enter this peculiarly dangerous service. It frequently happened, for example, that even common sailors received as their share,

[1] Edgar Stanton Maclay, "A History of American Privateers," New York, 1899, p. 7.

in one cruise, over and above their wages, the sum of one thousand dollars, a small fortune for a mariner in those days.[2] In other words the government in times of war issued a license to the owners of ships, who cared to equip them, to attack any ship of the enemy, seize her goods and treasures, and keep the spoil subject only to certain government regulations.

It may here be asked, why did merchants of prominence engage in this kind of venture? A moment's reflection will convince us that there were several good and sufficient reasons. The most important of these was undoubtedly the fact that the great merchant had but two alternatives in war time. On the one hand he might send his ships across the ocean as usual, laden with rich cargoes, but running a tremendous chance of being attacked and robbed by the enemy. This risk soon became so great that merchants finally permitted but very few of their vessels to put to sea in times of peril, and with very small cargoes at that. The only other alternative was to keep his ships at home, with the result that if the war lasted any length of time, not only would commerce be practically cut off, but the vessels themselves would begin to rot in the harbors. When, therefore, trading became unsafe, it was but natural that, instead of allowing their ships to rot, many preferred to take advantage of the government's permission to equip all their useless craft as armed cruisers, and send them out to attack the enemy's ships and ruin the enemy's commerce.[3] Nor were these ventures unprofitable. During the Revolution, for instance, one little sloop, the *Peacock,* took prizes in a single cruise valued at $635,000,[4] so that in many cases merchants even began to construct swift sailing vessels designed especially for privateering.[5]

[2] *Ibid.*, pp. 7, 11.

[3] *Ibid.*, p. 4.

[4] *Ibid.*, p. 11. In our War of 1812 American cruisers in many instances took prizes valued at over a million dollars. *Ibid.*

[5] *Ibid.*, p. 4.

As many Jews were among the foremost merchants in the colonies during the eighteenth century, one might naturally expect to find some of their names in this connection whenever war left no other alternative. As a matter of fact it is surprising that so few Jewish names are to be found in the long lists of privateering ventures which have been published thus far.

Though privateering was considered perfectly legitimate and was well recognized long before the 18th century, it was only when the war against France broke out in 1744 that American privateers first began to assert themselves seriously as a distinctive sea power.[6] Besides the highly important part they played in the expedition against Louisburg, a large number of such vessels put to sea on their own responsibility, and made independent cruises against the enemy, the profits of some of which were enormous.[7]

Newport at this period seems to have been the principal place for fitting out craft of this kind, and among other privateers which were fitted out there during the French and Indian War, appear in 1758 the *General Webb,* fitted out by Isaac Hart of Newport,[8] the *Lord Howe,* owned by the same person,[9] and the *Dolphin,* a well known vessel owned by Napthali Hart and two non-Jews.[10]

In 1762 the *Dolphin* appears again, owned and equipped by Napthali Hart, Gideon Sisson and Francis Honeyman,[11] and also the *Diamond,* owned jointly by Napthali Hart and Joseph Wanton, Jr.[12] Wanton was a graduate of Harvard who became Governor of Rhode Island in 1769 and held that position

[6] *Ibid.*, pp. 27, 39.

[7] *Ibid.*, p. 39.

[8] William P. Sheffield, "An Address delivered before the Rhode Island Historical Society," Newport, 1883.

[9] *Ibid.*

[10] *Ibid.*

[11] *Ibid.*

[12] *Ibid.*

up to the time of the Revolution, in which he sided with the King.[13]

It may not be inappropriate to say a few words concerning the Hart family in this connection. They were among the foremost citizens of Newport, and Isaac Hart, above-mentioned, was one of her wealthiest merchants, a man who associated with the aristocracy of the colony and attracted distinguished foreigners to his home. The artist Du Simitière, for instance, writing in 1769, records that

> at Mr. Isaac Hart's, a Jew living at the Point, in Newport, R. I., there is a portrait of the late Czar Peter 1st, done I believe, by Sir Godfrey Kneller.[14]

Hart is repeatedly mentioned in the diary of Ezra Stiles, the famous president of Yale College,[15] and also figures in the Jewish community, as one of the three gentlemen who in 1759 purchased the land for the old synagogue at Newport.[16] Associating with the aristocracy, and partner of Governor Wanton in a privateering venture during the French War, it is not remarkable to find Hart later associated again with Wanton on the Royalist side, at the outbreak of the American Revolution.

Among the original acts and resolves of Rhode Island, the present writer has discovered the act of banishment passed July, 1780, proscribing some of the chief citizens of Newport. It recites

> Whereas Joseph Wanton, Jr., William Wanton, Joseph Durfee, Mathew Cozzens, Isaac Hart, Samuel Hart, Moses Hart, Samuel Hart, Jr., Merchants and others have left this State and joined the

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[13] "Acts and Resolves of Rhode Island," volume for 1780, p. 19.

[14] *Magazine of American History*, vol. iii, p. 452.

[15] "The Literary Diary of Ezra Stiles," edited by Franklin B. Dexter, New York, 1902, vol. i, p. 98; vol. ii, pp. 131-134.

[16] See N. Taylor Phillips, in *Publications of the American Jewish Historical Society*, No. 6, p. 138.

enemies thereof, etc., etc., therefore enacted, etc., that they be arrested should they return, and be sent out of the State.[17]

Isaac Hart's adherence to the crown cost him his life shortly after his banishment. From *Rivington's Gazette,* a loyalist newspaper of 1780, we learn that

Mr. Isaac Hart of Newport, R. I., formerly an eminent merchant and ever loyal subject, was inhumanly fired upon and bayoneted, wounded in fifteen parts of his body, and beat with their muskets in a most shocking manner in the very act of imploring quarter, and died of his wounds a few hours after, universally regretted by every true lover of his King and Country.[18]

Besides the Harts, there were doubtless other Jewish merchants connected with privateering during the French and Indian War, and it is not unlikely that a search among the naval records, for the most part still unpublished, may reveal such names as Lopez or Franks in this connection. The Franks family in particular had advanced vast sums to the British government during this war, and its members were exceedingly active in financing many of its military enterprises.[19]

At the outbreak of the American Revolution the leading patriots soon realized that privateering was to be one of their most effective weapons against the mother country.[20] England, Queen of the Seas, could certainly overwhelm the little navy of the colonists, but despite her great naval superiority, throughout the entire struggle, she was powerless to down the

[17] "Acts and Resolves of Rhode Island," *supra.*

[18] "Account of the attack on Fort St. George," December 2, 1780. See also M. J. Kohler, in *Publications, supra,* No. 4, p. 89.

[19] Massachusetts Historical Society, *Collections,* vol. xxxix, (4th series, vol. ix), pp. 319, 341.

New York Historical Society, *Collections for 1876,* Publication Fund Series, vol. ix; Leon Hühner in *Publications, supra,* No. 11, p. 82; Max J. Kohler in *ibid.,* pp. 181-3.

[20] Edgar Stanton Maclay, *supra,* pp. 23, 69.

hundreds of little armed craft, manned by men of dare-devil courage, who avoided her big ships and mercilessly preyed upon her commerce.

Up to a few years ago, but little study had been given to this subject; more recent investigation, however, has revealed some very startling facts, showing conclusively how much of its success the Revolution owed to these privately equipped vessels. Not only had Congress legalized privateering from the start, but it even allowed a bounty of about $20 for each prisoner brought into port.[21] To further encourage these ventures, the government claimed no share whatever in the booty but allowed the entire prize to go to the owners of the vessel, its officers and crew.[22]

The resolutions of Congress of November 25, 1775 legalized the capture of the enemy's vessels of war and transports. The new resolutions of March 23, 1776 permitted

the capture of all ships and cargoes belonging to any inhabitant of Great Britain taken on the high seas

by American privateers.[23] Commissions were issued, the only restriction being that the owners had to execute bonds in a penalty of from $5,000 to $10,000 (according to the size of the ship) which were intended to prevent misconduct and unwarrantable acts on the part of officers and crews.[24]

Accordingly merchant ships, now no longer able to ply their usual trade, were hastily fitted with a few guns and sent to sea.

[21] *Ibid.*, p. 11. It is interesting to note that the United States Government regarded privateering so favorably and as so legitimate that, on June 5, 1813, the Navy Department issued an order not only pensioning those disabled while fighting on privateers, but even pensioning the widows and orphans of such sailors. Maclay, *supra*, p. 27.

[22] Charles Oscar Paullin, "The Navy of the American Revolution," Chicago, 1906, p. 127.

[23] *Ibid.*, pp. 126, 127.

[24] *Ibid.*, pp. 127, 128.

Even fishing smacks were divested of their cargoes and transformed into belligerent craft.[25]

The importance of privateering during the American Revolution is best illustrated perhaps by a comparison of figures. While the government vessels steadily diminished in number and in force from thirty-one vessels with 586 guns in 1776 to seven ships with 198 guns in 1782, the privateers, on the other hand, steadily increased as the war went on, rising in number from 136 vessels with 1,360 guns in 1775-6 to 323 vessels with 4,845 guns in 1782.[26] These privateers captured or destroyed over 600 British vessels during the war and took cargoes and prizes valued at about $18,000,000.[27]

So great was the injury they did to British commerce that the English merchants repeatedly petitioned Parliament to end the war on this account. Thus, on February 6, 1778, Alderman Woodbridge testified at the bar of the House of Lords

> that the number of ships lost by capture or destroyed by American privateers since the beginning of the struggle was 733, whose cargoes were computed to be worth over ten million dollars.[28]

Again, to quote a recent writer:

> In the earlier part of the war, any vessel old or new that could possibly be converted into a war craft was eagerly seized, a few guns mounted on her and she was sent to sea with, in some cases, the most curious assemblage of men imaginable. Physicians, lawyers, army officers, politicians, staid merchants, and even Ministers of the Gospel were found in the complements of these ships, all seemingly carried away by the craze for privateering.[29]

In fact, some sixty of our most formidable privateers were commanded by men who were, or soon afterward became,

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[25] Maclay, *supra*, p. 69.
[26] *Ibid.*, p. 113. *Cp.*, *ibid.*, p. viii.
[27] *Ibid.*, p. ix.
[28] *Ibid.*, p. xiii.
[29] *Ibid.*, pp. 70, 112, 113, 114.

captains in our own navy, men like Joshua Barney, Captain John Barry and many others.[30]

Toward the end of the war there were better vessels, better equipment and some of the foremost American patriots were interested in them. When, as happened at times, prominent government officers like Captain Barry, were unable to get a command in the navy, they frequently employed the interim by privateering.[31] The importance of these sea-rovers cannot be over-estimated.

Mr. Edgar Stanton Maclay, who has made an extensive study of this interesting subject, goes so far as to assert that

> **Had it not been for our privateers, the Stars and Stripes would have been for all practical purposes swept from the seas. It was the astonishing development of this form of maritime warfare that enabled the struggling colonists to hold their own on the ocean.[32]**

Some years ago, the Library of Congress published a list of bonds on file in its Manuscript Division relating to craft of this kind. These records reveal the names of a few Jews who were interested in privateering during the Revolution. The items are as follows:

July 4, 1782, *Iris,* Massachusetts brig, 8 guns, bond $20,000. Bonders: Alex. Smiley of Philadelphia, M. M. Hays of Boston, and Isaac Sears.[33]

Sears was not a Jew, but one of the foremost of American merchants and patriots. Moses M. Hays of Boston, however, was an observant Jew and the uncle of Judah Touro. He

[30] *Ibid.*, pp. 79, 84. Stephen Decatur, both father and son were prominently interested in privateering during the Revolutionary War. *Ibid.*, p. 88.

[31] *Ibid.*, pp. 84, 114.

[32] *Ibid.*, p. 206.

[33] Charles H. Lincoln, "Naval Records of the American Revolution, 1775-1788," prepared from the originals in the Library of Congress, Washington, 1906, p. 353. C. C., 196, vol. 8, p. 56.

was a leading citizen of Boston, whose patriotism made him the intimate of several of the Revolutionary patriots.[34]

March 28, 1782. *Fox,* Pennsylvania brig, 8 guns, bond $20,000. Bonders: Isaac Moses, and Benjamin Seixas of Philadelphia. Owners: Isaac Moses, Benjamin Seixas and others.[35]

The two men just mentioned were ardent patriots. Benjamin Seixas was the brother of Rev. Gershom M. Seixas, the patriot Jewish minister of the day. He had identified himself with the cause of liberty, and appears as a member of the patriot militia at the very outbreak of the Revolution.[36] After New York had been taken by the British he went to Philadelphia, there becoming one of the founders and first trustees of the local congregation Mikve Israel. As soon as the war was over, however, Benjamin Seixas was among the first to return, aiding in re-establishing the New York congregation. As a merchant he was held in high esteem, and became one of the founders of the New York Stock Exchange in 1792.[37]

May 29, 1777. *Wilks,* New Hampshire sloop, 10 guns, crew 60, bond $5,000. Master: Mendes *fils* Cadet. Owner: Mendes *fils* Cadet of Portsmouth, N. H. Bonders: Mendes *fils* Cadet, Edmund Roberts and Gideon Samson of Exeter.[38]

I have been unable to ascertain who Mendes *fils* Cadet was, though a well known Jewish family of that name figures in the West Indian records. Gideon Samson however was probably the son of the well known Jewish financier.

[34] New York Public Library, MSS., vol. vii, Bailey-Myers Collection, No. 611. Letters from Elias Boudinot to Hays. *Ibid.*, vol. v, p. 51. Letter from General Glover. See also Leon Hühner, *supra*, p. 83.

[35] Lincoln, *supra*, p. 302. C. C., 196, vol. 5, p. 75.

[36] "Calendar of New York Historical MSS.," edited by E. B. O'Callaghan, Revolutionary Papers, vol. i, p. 152.

[37] "History of the New York Stock Exchange," p. 2.

[38] Lincoln, *supra*, p. 492. C. C., 196, vol. 16, p. 37.

March 12, 1782. *Two Rachels,* Pennsylvania brigantine, 8 guns, bond $20,000. Bonders: Sasportas and LeBoeuf, of Philadelphia. Owners: Sasportas and LeBoeuf.[39]

The owner, in all likelihood, was Abraham Sasportas, a well known Jew of the period, residing in Philadelphia and one of the founders of the congregation of that city.[40]

July 3, 1780. *Havannah,* Pennsylvania schooner, 6 guns, bond $20,000. Bonders: Isaac Moses and Solomon Marache of Philadelphia. Owners: Robert Morris, and Moses Levy & Co., of Philadelphia.[41]

Moses Levy, in all likelihood, was the Newport merchant mentioned in Ezra Stiles' *Diary,* who also appears as one of the three purchasers of the land for the Newport synagogue in 1759.[42]

Robert Morris, the famous financier of the Revolution, was associated in privateering ventures, not only with Moses Levy but frequently with other merchants as well. Among these may be mentioned Isaac Moses who then resided in Philadelphia. The fact that Robert Morris should be interested in privateering at this period is the more remarkable when it is recalled that it was just about this time that the control of naval affairs was coming into his hands and that from 1781 to the close of the war he was virtually the head of the American Navy, being Agent of Marine during the entire period, as well as Superintendent of Finance.[43]

On July 5, 1780 Robert Morris was again associated with a Jewish merchant in another privateering venture. The *Black*

[39] Lincoln, *supra,* p. 480. C. C., 196, vol. 15, p. 64.

[40] See Henry S. Morais, "The Jews of Philadelphia," Philadelphia, 1894, p. 16.

[41] Lincoln, *supra,* p. 328. C. C., 196, vol. 7, p. 19.

[42] N. Taylor Phillips, *supra.*

[43] Morris accepted the appointment as Agent of Marine, September 8, 1781, though he had been the virtual head of the Navy from early in July of that year. See Paullin, *supra,* pp. 219, 226.

Prince, Pennsylvania brig, 12 guns, bond $20,000. Bonders: Isaac Moses and John Robertson of Philadelphia. Owners: Robert Morris and Isaac Moses of Philadelphia.[44]

Morris seems to have continued his connection with such ventures even after he became Agent of Marine. Thus, on September 21, 1781 the *Black Prince,* a Pennsylvania brig of 6 guns, is recorded as owned by Isaac Moses and Robert Morris & Co., of Philadelphia.[45]

The Continental Congress evidently encouraged these ventures, for, in a letter to Congress, July 27, 1779, Isaac Moses does not hesitate to request that powder be furnished him for his privateers.[46]

As Isaac Moses appears repeatedly in these records, it may not be inappropriate to say a few words concerning his career. He had been a leading merchant of New York but, owing to his Revolutionary sentiments, had to make his escape to Philadelphia immediately upon the taking of the city by the British. At the latter place he became the founder and first *Parnass* or president of the Jewish congregation, and as such was commissioned to invite the Governor of the state to the consecration of its synagogue in 1782. Throughout his stay in Philadelphia he was one of the most public-spirited in the American cause, being associated with Joseph Reed and Robert Morris in giving financial aid to the patriots, and at a time when the outlook was darkest gave his personal bond for £3,000 for provisioning the army.[47] He also figures in the annals of the Continental Congress.[48] At the close of the war he returned to

[44] Lincoln, *supra,* p. 239. C. C., 196, vol. 2, p. 33.

[45] *Ibid.,* p. 240.

[46] *Ibid.,* p. 112. L. S., C. C., 41, vol. 6, p. 141.

[47] Hazard's "Register of Pennsylvania," vol. ii, p. 259; Niles, "Principles and Acts of the Revolution," p. 486; Max J. Kohler, in *Publications, supra,* No. 3, p. 84; Valentine's "Manual, 1858," p. 639.

[48] Herbert Friedenwald in *Publications, supra,* No. 5, p. 202.

New York where he was for many years a trustee of the New York congregation. As a merchant, John A. Stevens mentions him in Wilson's "Memorial History of New York" as one of the most respectable and intelligent in the city.[49] He was a member of the New York Chamber of Commerce, representing that body on several occasions.[50]

During the Revolution Moses was interested in quite a number of additional privateers besides those already mentioned. Thus on July 30, 1779, we find the *Chance,* Philadelphia schooner, 6 guns, bond $10,000, owner: Isaac Moses & Co.[51]

October 2, 1780. *Cornelia,* Pennsylvania sloop, 4 guns, bond $20,000. Bonder: Isaac Moses. Owners: Isaac Moses & Matthew Clarkson of Philadelphia.[52]

March 13, 1780. *Chance,* Maryland schooner, 10 guns, bond $5,000, owner: Isaac Moses & Co., of Philadelphia.[53]

August 27, 1781. *Fox,* Pennsylvania brigantine, 10 guns, bond $20,000. Bonder and owner: Isaac Moses & Co., of Philadelphia.[54]

September 2, 1780. *Marbois,* Pennsylvania brig, 16 guns, crew 85, bond $20,000. Bonders: Isaac Moses and Robert Harris of Philadelphia. Owners: Isaac Moses and Matthew Clarkson of Philadelphia.[55]

January 27, 1782. *Mayflower,* Pennsylvania schooner, bond $20,000. Bonders: Isaac Moses. Owners: Isaac Moses and Matthew Clarkson & Co., of Philadelphia.[56]

Several decidedly Jewish names appear among the bonds

[49] Vol. iv, p. 538.
[50] *Ibid.*
[51] Lincoln, *supra,* p. 250. C. C., 196, vol. 2, p. 94.
[52] *Ibid.,* p. 259. C. C., 196, vol. 3, p. 46.
[53] *Ibid.,* p. 250. C. C., 196, vol. 2, p. 93.
[54] *Ibid.,* p. 301. C. C., 196, vol. 5, p. 91.
[55] *Ibid.,* p. 382. C. C., 196, vol. 9, p. 115.
[56] *Ibid.,* p. 389. C. C., 196, vol. 10, p. 42.

of privateers, which, however, I have been unable to identify. Thus, Samuel Bush and Nathan Bush of Philadelphia are mentioned in 1781,[57] the latter also described as of South Carolina. Joseph Moses, 1780 and 1782,[58] Jacob de Hart,[59] Henry Wolf of Pennsylvania, 1781-2,[60] Benjamin Moses, 1782,[61] Cajar Mendes of Portsmouth, N. H., 1781,[62] Jacob Garcia,[63] Joseph De Landa,[64] Felix Miklaszewiez,[65] and one Pereira.[66] In 1777 appears a ship owned by de Olivera and Pereira and Antonio Dias dos Santos,[67] but there is nothing to indicate whether any of these were Jews. In the Paul Jones papers appears the name of E. T. Salamons, a French merchant, as one entitled to some prize money.[68]

[57] *Ibid.*, pp. 162, 174. "October 6, 1780, Continental Congress, Board of Admiralty, Report on Petition of Nathan Bush. Have examined vouchers and consider £45,000 current money of South Carolina, due the Petitioner. 1781, March 30. Letter to Samuel Huntington, President of Congress. A. L. S."

[58] *Ibid.*, pp. 262, 362.

[59] *Ibid.*, p. 357. Ship *Jane*, C. C., 196, vol. 8, p. 75.

Ibid., p. 373. Ship *Liberty*, C. C., 196, vol. 9, p. 55.

Ibid., p. 401. Ship *Nansemond*, C. C., 196, vol. 11, p. 1.

Ibid., p. 274. Ship *Dolphin*, C. C., 196, vol. 4, p. 23.

[60] *Ibid.*

[61] *Ibid.*, p. 385. Ship *Marquis de La Fayette*, C. C. 196, vol. 10, p. 11.

[62] *Ibid.*, p. 360. September 28, 1781. *John Bunyan*, New Hampshire sloop, 6 guns, crew 25. Bond $20,000. Owner and bonder: Cajar Mendez of Portsmouth. C. C., 196, vol. 8, p. 97.

[63] *Ibid.*, p. 351.

[64] *Ibid.*, pp. 484, 485.

[65] *Ibid.*, pp. 421, 456.

[66] *Ibid.*, p. 55.

[67] *Ibid.*, p. 55. C. C., 44, 137.

[68] Charles H. Lincoln, "A Calendar of Paul Jones MSS. in the Library of Congress," Washington, 1903, p. 293. "Salomons, E. T., Merchant, L'Orient, France. Letter to John Paul Jones. 1779, June 28. See Alliance Roll of crew entitled to prize money, September 5, 1785."

Among the documents in the New York Public Library is a MS. account rendered to Michael Gratz by Carter Braxton, signer of the Declaration of Independence from Virginia, during the year 1777, showing a balance due Gratz of about £1,270. Two of the items in this account are for Gratz's share in privateers in which he was interested with Braxton.[69]

Unfortunately the documents relating to naval affairs in the various colonies as well as those of the Continental Congress are still for the most part unpublished. Many of them, however, are accessible in manuscript and a systematic examination of these as well as of the records of the prize courts will doubtless bring to light much additional material of interest.

The object of this paper has been to call attention to this important field of research in the hope that it may encourage others to undertake an elaborate investigation of the documents mentioned.

[69] Miscellaneous MSS., box *Bra*, in New York Public Library (Lenox). The writer is indebted to Mr. Samuel Oppenheim for this item.

NOTES.

Two Letters of Solomon Bush, a Revolutionary Soldier.[1]

I.

Chestnut Hill
15th Novr 1777

Dr Sir:

As Mr. Simons letter tells me that he is going to your Town cannot omit leting my good Friend give him satisfaction to hear from his friends. I suppose you heard of my being wounded the 18th of Septr when with dificulty was brot home in a most deplorable condition with my thigh broke and the surgeons pronounced my wound Mortal 7 days after the Enemy came; who treated our family with the utmost respect: they did not take the least trifle from us, though our neighbours, the poor Tories lost every thing, Howe's March this way has made many wigs— I was Concealed after the British Army came here 22 Days and shou'd have got Clear but a Vilain gave information of me when I was waited on by an officer what took my Parole when I wrote a line to the Commanding Officer leting him know of my being a prisoner and requesting a Surgeon which he imedeately Comply'd with and was attended every Day during their stay at this place; I am thank God geting better and have the Satisfaction to have my Limb perfectly Strait, my wishes are to be able to get Satisfaction and revenge the Rongs of my injured Country, I wish you joy of our Troops to the Northward and hope to tell you New York is ours before long, the shiping is not got up to Philadelphia though this is the 9th time of their attacking the Fort; there is a Cannonade whilst I am writing shou'd they not be able to Carry the Fort their stay in Philada will be short; as it grows late and am seting in bed writing

Remain with my best Wishes to Mr. and Mrs. Lazarus uncle Levy and the worthy Miss Brandla

Your most affectionate
Friend & Hbl Servt
Sola Bush

My Parents best wishes to you all
pray prest my Compts to Col. Johnson Mrs. Charlton & family

[Endorsed:] Mr. Henry Lazarus Mercht Frederick towne

[1] The originals of these letters are in the possession of the Historical Society of Pennsylvania; the donor of the first is Charles Henry Hart, of Philadelphia. In connection with these letters see the article on Solomon Bush in "The Jewish Encyclopedia," and references to him in Morais' "The Jews of Philadelphia."

II.

Chestnut Hill
27 Septem^{r} 1779

Dear Sir.

Pardon the liberty I take in troubling you with these few lines the purpose of which as I well know you to be a friend to the Sons of Freedom especially those who have been unfortunate in the service of their Country, I have my Dr Sir, Lain in a most deplorable condition ever since I had the pleasure of seeing you in Lancaster and still continue in a helpless state: this with the Expensive times Compells me to Petition the Honbl Councill to direct me when I shall apply to have my acco^{t} [ ][2] y pay and Rations setled as I have through [ ][2] great indisposition been unable to apply for [ ][2] same since my appointment; as I am still a Prisoner on Parole and in the service of the State have Petitiond the Councill that I may draw my pay and Rations untill Exchanged Monthly, I therefore beg your assistance in forwarding the same which will ever be gratefully acknowledg'd by

Dr Sir
Yr Mo Ob^{d}
Hbl Ser^{t}
Sol^{n} Bush

the
Honb^{l} Timothy Matlack Esq

Samuel Oppenheim.

The Jewish Colony of Sholam, Ulster County, New York, 1838.

In the summer of 1912, there appeared in *Olde Ulster* an article describing the Jewish Colony at Sholam, Ulster Co., N. Y. This rural colony was founded a decade after Major Noah's attempt to build up the colony of Ararat. The colonists are described as a highly educated people, possessed of a taste for art and music, who loved and sought social intercourse with all neighbors. They came laden with a quantity of rich furniture and household effects and beautiful paintings. In 1842 the colony failed after having been in existence for four years. The Jews who had purchased land at Sholam, eleven in number, were from the City of New York. Their names are on record, and it should not be a

[2] MS. worn away.

difficult task to learn some particulars about these far-seeing pioneers. The writer of the article says that their future is not known.

One of the colonists was Marcus Van Gelderen. I am able to supply some information concerning him. He was a native of Haarlem (? Huttem), Holland, where he was born in 1798. He came to the United States at the age of 24, so that he had been in the United States sixteen years before he became one of the Sholam colonists. In 1828, during the illness of Mark Solomons, Shochet and Bodek of the Congregation Shearith Israel in New York City, he served as Shochet and Bodek in Solomon's place. It is not improbable that he acted as Shochet for the colony at Sholam. What he did between 1842, when the colony came to an end, and 1860, I have not investigated. But from 1860 until his death on August 9, 1871, he was the regular Shochet and Bodek of the congregation Shearith Israel. There are living to-day several of his relatives, and friends who remember him. As it should be possible to learn more facts about him, so it should also be possible to place on permanent record at least some of the facts in the lives of the ten other members of the colony whose names are known to us.

Another detail connected with the colony at Sholam is the following. At a meeting of the Trustees of the Congregation Shearith Israel held April 25, 1838, a communication was received, signed by Moses Cohen, M. Van Gelderen W[illiam] N. Polack and Jonas Solomons, the committee on arrangements. The letter stated that a company of Israelites had formed a village called Sholem in Ulster County in New York State and they asked aid towards building a place of worship. Consideration of the request was postponed.

D. de Sola Pool.

Michael Leoni.

Michael Leoni, the celebrated singer, and tutor of Braham, passed the latter part of his life in Kingston, having been appointed Reader to the British and German Synagogue. He died in that town in November, 1796. Leoni was the original Don Carlos in Sheridan's "Duenna," which was performed for 70 or 80 successive nights, always excepting Fridays, when from respect to his Sabbath he would not appear. Mrs. Billington and Leoni were eminently successful in Mandane and Arbaces in "Artaxer-

xes," and Rosetta and Young Meadows in "Love in a Village." (Extract from Roby's "Biographical Notes of the Members of the Assembly of Jamaica," a rare work published in 1837.)

FRANK CUNDALL.

An Early Confirmation Certificate From the Island of St. Thomas, Danish West Indies.

There has come recently to my notice a very interesting document, a confirmation certificate issued on the island of St. Thomas, Danish West Indies, in 1844. This antedates by two years the earliest recorded confirmation ceremony in any synagogue on the North American continent. As far as known to me, the first confirmation exercises conducted in a Jewish house of worship in the United States took place in the synagogue of the Anshe Chesed Congregation, New York City, on the feast of Shabuot, 1846, while Dr. Max Lilienthal was rabbi of this and two other congregations in that city. The confirmation certificate now under consideration is therefore of distinct historical interest.

The document is in the possession of Mrs. Isaac P. Mendes of Savannah, Ga., who, in response to my request, has been so good as to place it at my disposal. Mrs. Mendes, the widow of the late Rev. Isaac P. Mendes, is a daughter of the Hannah De Sola to whom the certificate was issued. The certificate reads as follows:

No. 14 P. 6.

CERTIFICATE OF CONFIRMATION.

I, BENJAMIN COHEN CARILLON,
Minister of the Israelitish Congregation in this Island, certify that on Sabbath שמיני 5604 corresponding with 13 April 1844 I confirmed

Hannah De Sola
Daughter of Isaac Haim De Sola
and Zipporah De Sola, born Hoheb.

The said person is consequently duly accepted as a member of the Synagogue, and entitled to all the rights and benefits thereof.

Signature of the
Confirmist
Hannah De Sola,

[SEAL].

Given under my hand and Seal, in the Island of St. Thomas, on Sunday the 25th of Nissan 5604 14th of April 1844
B. C. CARILLON

The certificate is a printed form, the names and dates being filled in with the pen.

The document discloses a number of interesting facts. The present custom of conducting the confirmation ceremony on the feast of Shabuot which is quite universal among reform congregations did not hold so generally in the early years of its introduction into the synagogue. While some congregations selected this feast for the ceremony, others chose different days, such as the Sabbath of the Channukah week or some day in the Passover week. The certificate before us brings to view another custom. April 13, 1844, the date of this confirmation, fell on the Sabbath following the Passover week.

Mrs. S. L. Lazaron, another daughter of the Hannah De Sola to whom the certificate was issued, has written me the following interesting details of the ceremany:

> Our dear mother often told us, how beautiful the girls looked in their long white veils similar to the bridal one only falling from the back of the head.
>
> Hers was the first class confirmed on the island, and made such an impression, that the year following, a class of young married women were confirmed.

Attention should be called also to the peculiar word "confirmist" as defining the person confirmed. There has frequently been question as to what term should be used for this purpose. This is the first time that I have ever seen this derivation from the verb "confirm." Much as we are in need of a single term to describe the young people who participate in the confirmation ceremony, I fear that we will not be able to adopt this word as it is not to be found in as standard a dictionary as the "Century."

Hannah De Sola, whose certificate of confirmation is a prized family heirloom, was born on the island of Santa Cruz, another of the Danish West Indies, just across from St. Thomas. She was married to Jacob Osorio DeCastro, a native of Curaçao, in 1852. The couple lived on the island of Santa Cruz until 1856, when they removed to New Orleans. Their three children are still living, being besides Mrs. Mendes and Mrs. Lazaron, who have been already mentioned, Mrs. Henry J. Williams, of Charleston, S. C.

The Rev. Benjamin Cohen Carillon whose signature is affixed to the certificate was possessed of the reforming spirit. I have come across a number of notices of his career in the periodical *The Voice of Jacob*, that appeared in London, Eng., in the fifth decade of the nineteenth century. He was elected minister of the congregation at Montego Bay, Jamaica, in 1845. His innovations soon aroused opposition and called forth remonstrances which culminated in an appeal to the Jewish ecclesiastical authorities in England. The protest against his innovations was signed by seven-

teen members of the congregation. Carillon's cause was espoused by one Aaron Isaacs who wrote in his defense. (See *The Voice of Jacob*, vol. iv, p. 230; vol. v, pp. 37, 121, 171; vol. vi, p. 38.)

DAVID PHILIPSON.

Frank Cundall, F. S. A., one of our corresponding members, calls attention to the following rather rare work, printed in Jamaica. Its title-page reads thus:

REFUTATION

OF

"An Affectionate Address, *to the Jews of Jamaica on the great Subject of Christianity*, by Thomas Pennock, Minister of the Jamaica Wesleyan Methodist Association. Printed for the Author, by R. J. De Cordova, Kingston, Jamaica, 1847."

BY RABBI B. C. CARILLON

To the LAW and the TESTIMONY! If they argue not according to *that* WORD, it is because there is *no light in* THEM.—Isaiah viii. 20.

JAMAICA

Printed by JORDON & OSBORN, 23 White Church-Street

Spanish-Town.

VM. DC. VIII

M. DCCC. XLVII.

EXTRACTS FROM THE MINUTE-BOOK OF THE PORTUGUESE-JEWISH CONGREGATION OF HAMBURG.

5419.

P. 129. 12. Sebat.

Tambem se leu hũa suplica de Sam^{el} Jesurun q. está em Amst^{am} em que pede se lhe dê algũa ajuda p^{a} ir á Terra nova.[1] —— —— ——

5423.

P. 239. Em 27 Sivan.

A Jacob Mendes mandou o Mahamad dar 50 ms (marcos) para ajuda da viagem que pretende fazer a Kaiana,[2] com as mesmas condissois &c.

5424.

P. 252. Em 23 de Adar.

Pedirão os S^{res} Hahamim por parte de Ishac Habilho que se lhe desse algum socorro para passar a Cayana[2] e rezolveo o maamad se lhe dessem 10 rs (risdaldres) com condição de não se desembolsarem sem serteza de sua partida.

[1] The usual name for Newfoundland, which, however, might apply equally well to any other newly-discovered region.

[2] Guiana.

5425.

P. 271. 26 de Kislef.

Tanben o Sr. Ishac Namias de Crasto em nome de seu irmão Baruch Namias pede ao mamat p. quanto lhe sera necesaria hua recomendasão ao mamat de Barbados para cobrar um debitto de seu defunto filho daniel Namias. pareceu se lhe não podia negar &c.

J. Cassuto.

Two Early Letters.

I.

Newport August 12th 1773

Captn John Strange

Sir

The Sloop Kingfisher now under your Command being loaded & ready for the Seas you are to embrace the first fair wind & proceed directly to the Mole Cape Nichola on the Island of Hispaniola where on your arrival deliver your Cargo to Capt John Dupuy now residing there, agreable to Bills of Lading whom I have Ordered to dispatch you back to this Port with a Cargo of good molasses which desire you'll take on board as fast as he may procure it, & I make no doubt of every endeavour in your power, in Conjunction with Capt Dupuy, to make all possible dispatch, and when you are ready to return desire you make the best of your way back to this Port

Having full confidence of your attention & dispatch in everything under your care, think it needless to add—anything farther, but wishing you aprosperous Voyage & safe return remain

Sir

Acknowledge the above
to be a true copy of
my Instructions,
which I Promise to
comply with
John Strange

Your hble Servt.
Aaron Lopez[1]

[1] The original of this letter may be found in the extra-illustrated edition of Mason's "Reminiscences of Newport," in the MS. room of the New York Public Library. For an account of Lopez see "The Jewish Encyclopedia." New York, 1905, vol. ix, p. 294*b*, article "Newport." Many similar letters are contained in the 69th volume of the *Collections* of the Massachusetts Historical Society (1914); *cp. The American Hebrew,* January 29, 1915, p. 348. See, also, Lopez's letter to Strange, dated March 9, 1774, in the fourth Lopez letter-book (No. 42) of the Newport Historical Society. In a letter dated "Capt Nichols mole," December 8, 1773, Strange advised Lopez of his safe arrival in sixteen days. Again, under date of December 25, 1773. These letters are (Nos. 41 and 49) in the fifteenth Lopez letter-book of the Newport Historical Society. See, also, Strange's letters of January 13, and February 3, 1775 (Nos. 68 and 73) in the seventeenth letter-book of Aaron Lopez. See *Publications,* No. 9, p. 147; *The Occident,* vol. xvii, p. 150.

II.

New York 6 July 1824

Sir,

You will excuse the Liberty I am taken,—I am one of the son's of an old acquaintance of yours. (I mean my father Samuel Judah) who during the time which tried men's souls, at Montreal Canada during the Revolution of America, and who I beleeve was one of its best friends to the Cause of the Americans and who I beleive lost is all in aid of our blessed Country and to one who is well acquainted with all the Circumstances I address myself—I am his Oldest Son and have a wife & nine children who are dependant on me for support. and being at the present time out of any kind of business. I have taken the freedom of addressing you—to ask you the particular favor to address a Letter to me in which you will recapitulate the various kinds of benifit and assistance that My father the late M^r^ Samuel Judah of Montreal was to the cause of the Americans, the Object of which is that thro the Letter from you it may be the means of my getting into some employment here in the Custom House in this City as Clerk. your Complyance to me will be an act of Benevolence, and fully convince my family that the cause of My father at the time of the Revolution was such as fully merited the approbation of you and all well wishers to our blessed Country. your reply to this as soon as possible will be acceptable, as there is at this time the probability of a vacancy which if not attended to now, may not occur again for some time—please write by Mail and

You will oblige

Y^rs^ Respectfully

Bernard Judah [2]

Hon^b^ John Taylor
Albany—

Albert M. Friedenberg.

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[2] The foregoing letter, copied through the courtesy of Mr. Victor H. Paltsits, Keeper of Manuscripts, is a recent acquisition (1914) of the New York Public Library. Samuel Judah is mentioned in *Publications*, No. 4, p. 224. See, also, "The Jewish Encyclopedia," New York, 1904, vol. vii, p. 332*a*. John Tayler (whom Judah addresses Taylor) was born July 4, 1742 and died March 19, 1829. From February 24 to July 1, 1817, when Governor Daniel D. Tompkins had become Vice-President of the United States, he was acting Governor of the State of New York. He was President of the Senate and acting Lieutenant-Governor of the State from January 29 to April, 1811 and, from 1813 to November, 1822, served as the duly elected Lieutenant-Governor of the State. *Cp. Bulletin* of the New York Public Library, vol. xix, pp. 144, 159 (February, 1915), *s. v.*, Tayler; *ibid.*, p. 427 (May, 1915).

A Letter of David Nassy, of Surinam.

In connection with the paper on David Nassy, by Sigmund Seeligmann, printed in No. 22 of the *Publications* of this Society (see, particularly, p. 29), it may be noted that Nassy's name appears in the Philadelphia Directory for 1793 as physician and druggist, 62 South Second Street.

Dr. David Nassy was also the author of a hitherto unnoted pamphlet on "The Epidemic of Yellow Fever," published in Philadelphia in 1793, a copy of which is in the New York Public Library.

Dr. I. Minis Hays, Secretary of the American Philosophical Society, of which Nassy was elected a member in 1792, informed the writer that he found a record in his minutes of June 9, 1795, stating that Nassy wrote he intended to return to Surinam and wished to be useful to the Society there. Again, on November 15, 1799, Nassy's *Lettre sur les Juifs* was presented to the Society, accompanied by a note of transmittal, which is printed below. Another copy of Nassy's work was sent to the Library Company of Philadelphia, where it still is.

In the collections of the American Philosophical Society is a MS. by Nassy, consisting of two folio pages, in a small hand, and accompanied by two botanical drawings. Its title-page reads as follows:

DISCOURS

Sur cette question:

Les Savantes récherches des Botanistes modernes, ont elles produit plus ou moins d'utilité Pour le gênre humain en général, que les récherches des anciens qui se bornoient à la seule découverte des proprietés Plantes?

Avec

L'Histoire de la découverte, et les vertus du Tikimma plante de Surinam et de la Guiane.

Présenté à la Société Philosophique de Philadelphie

par David Nassy Dr. en M^dne^ de la ditte Société, le 20 Fêvrier 1794.

Dr. Hays gave it as his opinion that the same hand wrote both this MS. and the letter transmitting a copy of Nassy's work. The latter reads, as follows:

Surinam à Paramaribo le 18 Aout, 1799.

Aux très Illustres,
& très Eclaires Membres
de la Société Philosophique
de Philadelphie.

Messieurs

J'ai l'honneur de vous faire hommâge du dernier ouvrage que je viens de faire imprimer ici, à Paramaribo: C'est un dévélopement, & une application particullière des grands principes de Liberté, & d'Égalité, dont les États Unis, ont donné le prèmier Exemple, au monde entier.

Tandisque quelques Philosophes, & Politiques, préchoient les Droits de l'homme, & du Citoyen, & le déchainoient contre les distinctions humiliantes, qui accabloient Ceux qui n'étoient pas Noble, ou de la Réligion de l'État; Les États Unis, mettoient en pratique, tout ce qui n'étoit ailleurs, qu une Vaine Théorie de quelques particuliers: Heureux l'endroit, où les bonnes Loix, sont sanctionées par les moeurs du Peuple! Heureux Le Peuple, dont les moeurs sont les garants de ses Loix! Toutes celles qui sont faites pour corriger les Vices, & changer le Caractère national, ne sont que de la force armée, qui étant prête a combattre les Préjugés, & le penchant à la license, succombe au prèmier effort d'une révolte obstinée.

C'est donc aux États Unis en Général, & à l'État de Pensylvanie en particulier, à Ces États qui ont eu de moeurs, avant que d'avoir des Loix positives, que l'Univers doit le prèmier & grand resultat mis en action, de cette douce Philantropie, de cette Philosophie sage et éclairée qui ne font d'autre distinction parmi les homme, que Celle que procure la Vertu, les talens utiles, & les bonnes moeurs.

Un ouvrage qui défend une partie du gênre humain accablée de la haine, & Calomniée par les préjugés, ne sauroit être mieux jugé que par les savans de Philadelphie, & ceux des autres parties à Votre heureux Continent.

Daignez donc récévoir Messieurs, avec L'indulgence que vos profondes connoissances & vos moeurs, vous propinent envers ceux qui, malgre la médiocrité de leurs talens, tâchent de contribuer de leur mieux, au contieur de leur semblables; L'Exemplaire de l'Ouvrage que je prend la liberté de vous addresser, pour qu'il puisse trouver une place dans votre bibliothêque.

Je vous priè également messieurs, de vouloir bien presenter l'autre Exemplaire; à la Bibliothêque de votre ville.

Agréez Messieurs, Les voeux ardens que je fais pour votre Contieur, & pour l'accroissement des lettres, & des sciences, Dont vous savez si bien honnorer!

Je suis avec la plus haute Estime, & le plus profond respect.

Messieurs &

Très respectables confrères

Votre très humble, très obéissant, et dévoué

Serviteur

D^{d} Nassy.

Samuel Oppenheim.

Two Unknown Historic Candelabra From K. K. Beth Elohim of Charleston, S. C.

In this "new" land, finds of old objects connected with the history of our people are always noteworthy. A find of two such objects which date back to the eighteenth and the early nineteenth century must be especially interesting.

While looking for something under the staircase in Beth Elohim, the synagogue of Charleston, S. C., the writer noticed two brass candelabra, and taking them up found that they had, under long accumulated dirt, inscriptions. Upon reading these it was found that one had been presented to the congregation in 1762, the other in 1802.

The inscriptions read, as follows:

נדבת הגביר בנימין
ישראל ריקארדא
ואשתו שרה ריקארדא
לק"ק בית אלהים תקכ"ב
לפ"ק

A Gift of Mr. Benjamin Israel Ricardo[1] and his Wife Sarah Ricardo to the Congregation Beth Elohim, 1762.

נדבת הנביר ישראל
דעליבען ואשתו
הנה דעליבען לק"ק
בית אלהים תקם"ב
לפ"ק

A Gift of Mr. Israel Delieben and his Wife Hannah Delieben to the Congregation Beth Elohim, 1802.

Isaac E. Marcuson.

An Austro-Hungarian Movement to Encourage the Migration of Jews to America, 1848.

On April 4, 1848, in Vienna the journal called *Oesterreichisches Central-Organ für Glaubensfreiheit, Cultur, Geschichte und Literatur der Juden* (*cp.*, *Publications*, No. 17, p. 205), made its initial appearance. It was edited by Isidor Busch and Dr. M. Letteris, but, with the fourth number, issued April 22, 1848, the former became solely responsible for its contents.

[1] This name is not found in any of the lists of early inhabitants of Charleston. Portraits of the candelabra, exhibiting them as rehabilitated and in their modern surroundings, as well as "rubbings" of the inscriptions, are in the collections of this Society.

In the sixth number, dated May 6, 1848, a leading article entitled, "Auf, nach Amerika," was printed. It was written by Leopold Kompert, the Ghetto novelist, and agitated in favor of a migration to America so that the Jews of Austria-Hungary might there acquire true political freedom. A note, appended to the paper, announced the formation of a committee to encourage such a movement, and the editorial remarks included a list of twenty-five Jews and two Jewesses from Hungary, Galicia, Moravia and Bohemia who were prepared to emigate without financial assistance. Of the males one was an engineer, the rest were artisans and traders. Kompert's article was concluded in the following issue.

[Simon] Sz[ant]o, in No. 8, for May 20, 1848, gave a brief account of the committee, formed at Pest, and the next number contained the poem (see *Publications, supra*) by Herzl (see "The Jewish Encyclopedia," *s. v.*) entitled, "Ein trauriges Lied," the concluding stanza of which reads:

O denkt daran! und eilt Euch anzuschliessen,
Enteilet nach Amerikas Gestad,
Enteilt, das Land der Freiheit zu begrüssen,
Der Freiheit Land selbst in der Wildniss Pfad!
Dort wohnt kein Vorurtheil, kein Hass, kein Neid,
Kein Henker weilet dort und kein Tyrann!
Dort glänzt das Morgenroth der bessern Zeit
Für Euch, o Brüder! Denket stets daran!

David Mendl, in No. 10, June 3, 1848, wrote in reply to Kompert's suggestion, while "Der ewige Jude," an anonymous correspondent from Brody, favored a systematic colonization of Jews in America and the formation of a company to secure it. Rabbi Ab. Schmiedl, of Gewitsch, answered Kompert in No. 11. His argument, entitled "Bleib im Lande!" proceeded on the line that, in America, the Jews do not, since they cannot, punctiliously observe their traditional ceremonies. Moreover, he held that entire communities cannot emigrate. Busch, in his editorial capacity, opposed Schmiedl's contention, but the latter received the support of V. Fried. Mannheimer, preacher in Münchengrätz, whose paper, "Die Auswanderungsfrage," was published in No. 12, and who declared that American conditions were subversive of orthodox Jewish practices. In this issue, too, appeared the announcement of the formation of a committee at Vienna on May 14, 1848, composed of Dr. Engel, Dr. Ludwig August Frankl, Dr. Ignaz von Hofmannsthal, Dr. Matzel and Isidor Busch. This was accompanied by an editorial note of the last-named, which was repeated

in No. 13. The movement then ceased as suddenly as it began. Busch landed in New York on January 8, 1849 (see "The Jewish Encyclopedia," *s. v.*), before which date his journal had expired.[1]

A. M. F.

A Bordeaux Subscription.

In the report presented to the American Jewish Historical Society (*Publications*, No. 11, pp. 146-148), Dr. Joseph Jacobs and the committee refer to the communal archives of Bordeaux as likely sources for American Jewish history. I do not know whether effective steps are being taken to examine these archives. But in the meantime it may be interesting to allude here to a List, dated June 9, 1782, and printed by L. Cardozo de Béthencourt in the *Revue des Études Juives* (vol. xxv, p. 104).

The List is derived from the *Archives du Consistoire israélite de la Gironde* (*Registre des Délibérations de la Nation portugaise depuis le 11 May 1710*, n° 505, f° 130 r°). It records subscriptions up to the considerable total of 61,140 *livres* raised under these circumstances:

La Nation Juive Espagnolle et Portugaise de Bordeaux animée des sentiments de zèle et de patriotisme qui ont porté les bons citoyens de cette ville à ouvrir vne souscription pour offrir au Roi vn vaisseau de ligne, s'est assemblée, et, les contribuables de laditte Nation, invités à s'y rendre, chacun d'eux a volontairement signé comme ci-après:

Then follows the List in detail.

The interest for America lies in the suggestion of L. de Béthencourt that the vessel was to be employed in the war which France was waging in behalf of the independence of the United States (see *Revue, loc. cit.*, note 4). The Bordeaux Jewry played a considerable rôle in attaining Jewish emancipation ("The Jewish Encyclopedia," vol. iii, *s. v.*), when the French Revolution broke out. L. de Béthencourt's note accordingly provides yet another link between American and French efforts in the general movement towards liberty, which led to the conferment of rights on the Jews in the eighteenth century.

I. Abrahams.

[1] The interesting sketch of Isidor Busch, by Jacob Furth in *Missouri Historical Society Collections* (vol. iv, p. 303 *et seq.*, 1914), does not mention the *Central-Organ* or this movement.

NECROLOGY.

Abe Bloch.

Abe Bloch, a member of this Society, died at his home in Cincinnati, O., on April 25, 1914. He was born in that city, August 28, 1844, the son of Lazarus Bloch, one of the early settlers there from Bavaria. He was educated in the schools of his native city, and early in life embarked upon mercantile pursuits. For forty years, from 1874 until his death, Mr. Bloch was the head of the firm of Abe Bloch & Co., wholesale clothing manufacturers. He was besides interested in the development of electrical enterprises.

Abe Bloch was a member of the executive board of the National Jewish Hospital for Consumptives at Denver, Col., and a director of the Jewish Orphan Asylum of Cleveland, O.

He was married on December 18, 1879, to Miss Rebecca Friedenwald, who died in February, 1889. He is survived by a son and two daughters.

Albert M. Friedenberg.

Samuel Morais Hyneman.

Samuel Morais Hyneman was born in Philadelphia on May 26, 1854. He was the son of Isaac and Adeline Ezekiel Hyneman. He received his early education in the public schools of his native city and graduated from the Central High School. The study of law was always attractive to him and he began his legal career as a student in the office of his life-long friend, Judge F. Carroll Brewster. On June 18, 1878, he was admitted to the Philadelphia Bar and soon rose to eminence in his profession. He was employed by many large corporations

and he served as a referee in several cases of national importance. He was recognized as an authority on commercial law and his expert knowledge gained for him the confidence of many distinguished clients.

Samuel Morais Hyneman was always interested in Jewish affairs. He was at one time president of the Young Men's Hebrew Association. He was a devoted member of the Congregation Mikve Israel from his youth, serving as president from 1900 until 1901. He was at his death a member of the Adjunta or Board of Directors of the congregation. Always showing a deep interest in education he became a valued member of the Board of Trustees of Gratz College acting for many years as its treasurer; in 1894 he was elected to the Board of Directors of the Hebrew Education Society. The work of the American Jewish Historical Society appealed to him and he became a member of it at its inception in 1892. On June 4, 1913, Mr. Hyneman was appointed by Hon. John K. Tener, in his capacity as Governor of Pennsylvania, a Judge of the Court of Common Pleas of Philadelphia, to sit in Court No. 1. He served in this honorable position but for a short time as the act under which he was appointed was declared unconstitutional by the Supreme Court of the state. On July 10, 1913, Mr. Hyneman resumed the practice of law being enthusiastically welcomed by his legal confrères. According to a minute adopted by the Bar of Philadelphia,

> by his conspicuous ability, his untiring energy, assiduous study and unfailing fidelity as an officer of the Courts of the Commonwealth, he soon became known as a successful member of the legal profession. His appointment as Judge met with popular and professional approval and his brief occupancy of the judicial office was sufficient to evidence that on the Bench as well as at the Bar he could be found a disciple of hard work from the beginning and an example of judicial learning, urbanity and courtesy.

Mr. Hyneman was a member of the State Board of Law Examiners and of the Board of Governors of the Lawyers' Club of Philadelphia.

Samuel Morais Hyneman endeared himself to a host of friends. He had many fine and lovable qualities which have been aptly summarized by the late Judge Kinsey.

> I have never known a man of clearer intelligence or purer instincts. His personal popularity and his unfailing devotion to his clients and to the finer ethics of the law were among the factors that fitted him peculiarly for the Bench. All who knew him will remember him as one of the most lovable men whom it was their experience to meet.

Mr. Hyneman died, suddenly, on May 1, 1914.

A. S. W. Rosenbach.

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